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JOURNAL
OF THE
SENATE

OF THE
STATE OF NEW YORK:

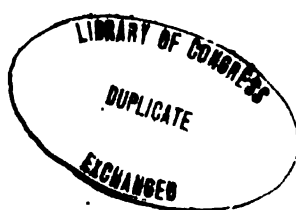
AT THEIR
NINETY-SECOND SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
FIFTH DAY OF JANUARY, 1869.



ALBANY:
ARGUS COMPANY, PRINTERS.
1869.

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JOURNAL OF THE SENATE.

STATE OF NEW YORK:

SENATE CHAMBER, IN THE CITY OF ALBANY,

TUESDAY, JANUARY 5, 1869.

Pursuant to the sixth section of the tenth article of the Constitution of the State of New York, designating the first Tuesday of January, in each year, for the time of the meeting of the Legislature, the Hon. Allen C. Beach, Lieutenant Governor, and the following Senators from the several districts, appeared in the Senate, to wit:

District Number One	Lewis A. Edwards.
District Number Two	James F. Pierce.
District Number Three	Henry C. Murphy.
District Number Four	William M. Tweed.
District Number Five	
District Number Six	Thomas J. Creamer.
District Number Seven	John J. Bradley.
District Number Eight	Henry W. Genet.
District Number Nine	William Cauldwell.
District Number Ten	William M. Graham.
District Number Eleven	Abiah W. Palmer.
District Number Twelve	Francis S. Thayer.
District Number Thirteen	A. Bleecker Banks.
District Number Fourteen	George Beach.
District Number Fifteen	Charles Stanford.
District Number Sixteen	Matthew Hale.
District Number Seventeen	Abraham X. Parker.
District Number Eighteen	John O'Donnell.
District Number Nineteen	Samuel Campbell.
District Number Twenty	John B. Van Petten.
District Number Twenty-one	Abner C. Mattoon.
District Number Twenty-two	George N. Kennedy.
District Number Twenty-three	John F. Hubbard, Jr.
District Number Twenty-four	Orlow W. Chapman.
District Number Twenty-five	Stephen K. Williams.
District Number Twenty-six	Charles J. Folger.
District Number Twenty-seven	John I. Nicks.
District Number Twenty-eight	Lewis H. Morgan.
District Number Twenty-nine	Richard Crowley.
District Number Thirty	Wolcott J. Humphrey.
District Number Thirty-one	Asher P. Nichols.
District Number Thirty-two	Lewis Morris.

Prayer by Rev. Mr. Abbott.

The Lieutenant Governor then arose and addressed the Senate as follows:

SENATORS—Elected by the people to the office of Lieutenant Governor the Constitution devolves on me the duty of acting as President of the Senate. That duty it is my earnest desire to discharge, courteously, impartially and correctly. I am aware that success will depend much upon that assistance and indulgence which I earnestly bespeak, which I confidently expect Senators will kindly extend to me.

Experience in political life tends to impress men with the folly of a monious discussion and bitter personal strife relative to differences of political opinion, and teaches them that the people, whatever their politics are patriotic, and differ only as to the method of securing the prosperity of the country and the permanence of constitutional Government.

Some of the momentous and exciting questions which have agitated the land have been settled—let us hope forever. And now when the whole country is suffering in consequence of the vast sacrifice of life and treasure incident to the suppression of the rebellion and the preservation of the unity of the Republic, the people of all parties agree in demanding righteousness, unswerving honesty and wise statesmanship in the administration of their affairs.

Let the action of the Empire State be an example to all the other States of such wise and economical administration. They will emulate that example. Then may we reasonably expect that our Federal Government will rest upon an enduring basis, and our own noble State and our beloved Union will again enter upon a career of unexampled prosperity.

Mr. Bradley offered the following resolution:

Resolved, That a committee of two be appointed by the President to wait upon the Governor, and inform His Excellency that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed Messrs. Bradley and Kennedy, as such committee.

Mr. Folger offered the following resolution:

Resolved, That a committee of two be appointed by the President to wait upon the Honorable the Assembly, and inform that body that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed Messrs. Folger and Tweed, as such committee.

Mr. Banks offered the following resolution:

Resolved, That the Clerk of the Senate be directed to invite the clergymen of the city of Albany, having charge of religious congregations, to open the daily sittings of the Senate with prayer, and to attend in such order as will best suit their convenience.

Mr. Thayer moved to amend said resolution by striking out the words "city of Albany," and inserting in lieu thereof the words "cities of Albany and Troy."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. O'Donnell offered the following resolution:

Resolved, That the Senate will meet daily, at 11 o'clock A. M., until otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hale presented three petitions of citizens of Clinton county, asking State aid for the Whitehall and Plattsburgh Railroad Company, which were read and referred to the committee on finance.

Also two petitions of citizens of Essex county, for same object, which were read and referred to the committee on finance.

Also a petition of the board of supervisors of Essex county, for repeal of acts relating to the National Guard, which was read and referred to the committee on the militia and public defence.

Mr. Folger presented a petition of the board of supervisors of Yates county, on same subject and purpose, which was read and referred to the committee on the militia and public defence.

Mr. Bradley presented a petition of Joseph Raudentzky, for the passage of an act authorizing him to change his name to Joseph S. Rown, which was read and referred to the committee on the judiciary.

Mr. Bradley, from the committee appointed to wait upon his Excellency the Governor, reported that they had performed that duty, and that his Excellency was pleased to say that he would communicate with the Senate by message.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to amend the Metropolitan Excise law.

Also a bill to incorporate the Empire Gas Company, of the city of New York.

Mr. Stanford gave notice that he would, at an early day, ask leave to introduce a bill to repeal the act entitled "An act for the letting of certain canal repairs by contract," passed April 15, 1854, also, an act entitled "An act to enlarge the power and define the duties of the Contracting Board, passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled An act to enlarge the power and define the duties of the Contracting Board,' passed March 14, 1859; passed April 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

Mr. Pierce offered the following resolution:

Resolved, That the Clerk be directed to have provided double doors on the passage-way between the postoffice and Senate library.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 249, Laws of 1865, entitled "An act to create a Metropolitan Fire district, and establish a fire department therein," passed March 30, 1865.

Mr. Tweed gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 452 of the Laws of 1868, entitled "An act to incorporate the Guardian Savings Institution, of the city of New York."

Mr. Crowley gave notice that he would, at an early day, ask leave to introduce a bill relating to evidence in criminal prosecutions.

Mr. Folger gave notice that he would, at an early day, ask leave to introduce a bill to legalize the acts of Joseph Gutman, jr., as notary public.

Mr. Folger gave notice of a motion to alter rule No. 48 of the rules and orders of the Senate, as the same appears in the Manual, so as to establish by rule, one fixed day in each month, to wit: the third Wednesday in each month, at 12 o'clock, at noon, for the consideration of executive business; and so as to provide that a nomination for the appointment of any officer (except notaries public,) shall have no other reference, than to that standing committee of the Senate, to which are usually referred subjects to which the duties of such officer appertain; and so that no nomination shall be considered until after the report thereon of a majority of the standing committee to which it has been referred; and so that no consent of the Senate to the appointment of any officer, given on any day of the transaction of executive business shall not be transmitted to the Governor until the next day thereafter for the transmission of executive business. Nominations of persons for the office of notary public, to be referred to the Senator from the district in which the nominee resides, except that when the nominee resides in the city and county of New York, the reference shall be to the Senators from that city and county; and when the nominee resides in the county of Kings, the reference shall be to the Senators from that county.

Mr. Beach offered the following preamble and resolution:

Whereas, Large additions have been made, from time to time, to the capital stock of the Hudson River Railroad Company, the New York Central Railroad Company, and the Erie Railway Company; and grave doubts exist as to the right of said companies to increase their capital stock; be it

Resolved, That the railroad committee be directed to investigate the facts and circumstances connected with such issues of stock, with power to send for persons and papers, and with directions to report what, if any legislation is necessary, to protect the rights of bona fide stockholders in railroad corporations, and to prevent the secret issue of stock therein.

On motion of Mr. Folger, said resolution was laid upon the table.

Mr. Parker gave notice that he would, at an early day, ask leave to introduce a bill to improve the hydraulic power upon the Rackett river.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to provide for the amendment of the Constitution of the State of New York, respecting the number of judges of the Court of Appeals, and the duration of their term of office.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill authorizing and directing the disposition of monies derived from the sale of the church property of the Mendon Central Congregational Society, of Mendon, in the county of Monroe.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to change the name of Joseph Raudebaugh to Joseph S. Rown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to construct a railroad in 125th street, and other streets in the city of New York.

Mr. O'Donnell gave notice that he would, at an early day, ask leave to introduce a bill to amend the assessment laws.

Also a bill to levy and assess taxes upon corporations, at the Comptroller's office, in the city of Albany.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to provide for the further extension of Prospect park, in the city of Brooklyn, and to provide approaches thereto from Atlantic avenue.

Mr. Stanford offered the following resolution:

Resolved, That the Board of Canal Commissioners be and are hereby requested to furnish to the Senate copies of all the proceedings of said board relative to the construction of wharves, docks and piers constructed or authorized to be constructed in the Erie basin, on the Erie canal, in the city of Buffalo, and all information connected therewith as may be in their possession, and the object and purpose thereof.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Humphrey gave notice that he would, at an early day, ask leave to introduce a bill to amend an act to authorize the board of education to establish the rates of tuition, and collect the same, for academical department of the Union School, in school district No. 10, of the town of Warsaw, in the county of Wyoming.

Mr. Kennedy gave notice that he would, at an early day, ask leave to introduce a bill to enable the city of Syracuse to issue bonds in aid of the construction of the Syracuse and Chenango Valley railroad.

Also a bill to authorize the city of Syracuse to issue bonds in aid of the Syracuse and Northern railroad.

Also a bill to amend the charter of the East India Telegraph Company.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Chapman offered the following resolution:

Resolved, (if the Assembly concur,) That a committee of three on the part of the Senate, and of four on the part of the Assembly, be appointed, with power to send for persons and papers, to examine the property known as the Susquehanna Valley Seminary, at Binghamton, and report as to its condition and the interest the State has in the same, and whether if in any way that interest can be preserved to the State; said committee to act without incurring any expense to the State.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended and said resolution was passed, and ordered transmitted to the Assembly this day.

Mr. Mattoon offered the following resolution:

Resolved, That hereafter no bill shall be referred to any standing committee of the Senate of 1868, until after the announcement of the standing committees by the President of the present Senate.

On motion of Mr. Creamer, said resolution was laid on the table.

The President presented the annual report of the Comptroller, which was laid on the table and ordered printed.

(See Doc. No. 3.)

Mr. Mattoon moved that the Senate take a recess until 12:45 o'clock P. M.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

12:45 O'CLOCK, P. M.

The Senate again met.

Mr. Folger, from the committee appointed on the part of the Senate to wait upon the Assembly and inform that body that the Senate was organized and ready for business, reported that they had discharged that duty.

Messrs. Husted and Miller, a committee on the part of the Assembly appeared in the Senate chamber and announced that the Assembly was organized by the election of Truman G. Younglove as Speaker.

The Private Secretary of his Excellency the Governor, appeared in the Senate chamber and presented the annual message of his Excellency in the words following, which was read by the Clerk:

EXECUTIVE CHAMBER,
ALBANY, January 5, 1869.

To the Legislature:

Having been elected to the highest office in the gift of the people of the State, I have taken the oath required by the Constitution, impressed with a due sense of my responsibilities, yet indulging the confident hope that by the blessing and favor of Almighty God, who disposes all things, I shall be able so to discharge my duties as to command the approval of my constituents and to promote the welfare of the State. I am not unaware of the embarrassments which surround me. I am here to administer and to execute important public trusts; to reconcile and adjust conflicting interests as great as they are varied; to overcome or moderate sectional prejudices and jealousies which may exist within our own territory to preserve public order; to protect the public works; to endeavor to reduce expenditures, taxation and debt; and to assert and maintain the rights of the State and defend the interests of its citizens.

The fact that neither branch of the Legislature is in political sympathy with the Executive may seem to be an obstacle in the way of the accomplishment of these ends. Relying, however, upon your intelligence and patriotism, trusting that you will rise, as I shall strive to do, above party prejudices and differences, I am ready, with all the ability and energy I possess, to unite with you, as I trust you will unite with me, every effort to secure to those whose representatives we are, the blessing of an economical, a prudent, and a wise government. We cannot be unmindful of the greatness of our State, and the magnitude, variety and importance of its interests and resources. Containing, as it does, more than four millions of people, among whom are represented every nation and every creed; extending, as it does, from the ocean to the great inland lakes, over an area of more than fifty thousand square miles; constituting an empire in extent and population, which can not be well governed except by the exercise of the greatest moderation, wisdom and firmness on the part of the Legislature and the Executive.

The magnificent harbor which lies at our very gates invites to the metropolis of the State and of the whole country the trade and commerce of all foreign lands; while the great lakes upon our borders, and

canals and railroads which connect them with the ocean, bear onward to the same metropolis the vast and increasing products of our own western and northwestern States. Hence the unparalleled growth and progress of our great city, which, including what may be properly called its suburbs, numbers more than one-third of the population, and pays more than one-half of the taxes of the State. How such a city can be best governed, how the apparently conflicting interests between it and other portions of the State can be justly harmonized, how the differences of sentiment and thought, political and social, between it and other sections can be adjusted, are problems of serious import. These and other grave questions, growing out of conflicting ideas, will continually present themselves. You are to determine what legislation shall be had with reference to our canals and railroads, our moneyed corporations, our schools and colleges, our asylums, prisons and charities, our great debt and heavy taxes, and to our varied population, differing not only in religious faith, but in views of moral and social obligations, customs and duties. The very magnitude of our territory and of the population within its limits admonishes us that upon these and other kindred subjects it is a necessity that we entertain none but broad and comprehensive ideas. Whatever may be our individual opinions to-day, the great majority of thoughtful men will sooner or later be forced to acknowledge that this great metropolitan State cannot be governed upon any merely provincial theories, or by the enforcement of any narrow-minded, sectional or illiberal policy; and that the masses of the people, while they will demand of their representatives economy in administration, perfect preservation of law and order and certain protection to life and property, will also insist that in every thing which relates to social, domestic and religious life and the pursuit of personal welfare and enjoyment, there shall be no undue or unnecessary legislative or official interference. We must so act as to promote contentment, reconciliation and harmony, rather than to encourage dissension, alienation, and division.

We must not favor legislation which creates, in the minds of a large number of law-abiding citizens, dissatisfaction with law and law-makers. All enactments should be, as far as possible, general in their application. All legislation should be for the whole people. It should be our aim so to conduct public affairs as to avoid those sectional jealousies from which have sprung suggestions that a division of the State might be desirable. State pride and State interests alike forbid such division. New York stands to-day the Empire State of the Union, and, if governed by wisdom, it has before it a career of ever-increasing greatness and prosperity.

There is no real conflict of interest between city and country. Agriculture and commerce together make our State great and prosperous. The merchant and the agriculturist are mutually dependent upon and interested in each other's welfare.

During the past year, the agricultural interests of the State have been greatly favored by Providence. Our fields have yielded large harvests, for which the farmer has found a ready market and abundantly compensating prices. He does not feel, at present, the full weight of the burdens of taxation, and he rejoices in his prosperity. He knows, however, that these burdens must in the end be borne by country and city alike; that he cannot escape his share of them; and that at some time a season of disappointment and trial will come. He therefore unites in an admonition to all in authority that public resources must be husbanded; that no unjust or unnecessary taxes shall be imposed; and that, while in all pub-

lic affairs a reasonable liberality is to be encouraged, extravagance and waste will be condemned. A large amount of invested capital has been declared by Congress exempt from the taxation which now oppresses nearly every interest in the country; those who bear no portion of the public burdens will never be active in opposing their increase. Some will be always ready to favor projects involving great outlays of public money in enterprises of real or supposed merit, but the great body of the people will not sanction any expenditures or appropriations, the necessity of which is not clearly apparent.

By the Constitution, the Executive is required "to communicate, by message to the Legislature, at every session, the condition of the State, and to recommend such matters to them as he shall judge expedient." I proceed to discharge this duty.

The following is a condensed statement in relation to the finances and indebtedness of the State.

RECEIPTS AND PAYMENTS.

General Fund.

Deficiency in the revenue on the 30th of September, 1867, two million eight hundred and sixty thousand five hundred and eighty-six dollars and thirty-eight cents.....	\$2,860,586 38
Payments of the year, ten million two hundred and eight thousand one hundred and ninety-eight dollars and forty-six cents.....	10,208,198 46

\$13,068,784 84

Receipts, ten million one hundred and twelve thousand three hundred and thirty-one dollars and thirty cents..	10,112,331 30
---	---------------

Deficiency of the revenue on the 30th of September, 1868, two million nine hundred and fifty-six thousand four hundred and fifty-three dollars and fifty-four cents.....	\$2,956,453 54
---	----------------

General and other funds.

Receipts of the year on account of all the funds except the Canal and Free School Fund, sixteen million three thousand one hundred and seventy-eight dollars and fifty-three cents,	\$16,003,178 53
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Balance due the treasury on the 30th of September, 1867, three hundred and fifty thousand and nine dollars and fifty-eight cents,	\$350,009 58
---	--------------

Payments of the year, fourteen million nine hundred and four thousand six hundred and forty-seven dollars fifty-four cents,	14,904,647 54
	<hr/> 15,254,657 12

Balance in treasury on the 30th of September, 1868, seven hundred and forty-eight thousand five hundred and twenty-one dollars and forty-one cents,.....	\$748,521 41
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NOTE.—There was due at the close of the fiscal year from the city of New York four million five hundred and thirty thousand and fourteen dollars and seventeen cents (\$4,530,014.17), of which four million dollars (\$4,000,000) has since been paid; making up the above deficiency, and leaving a large surplus.

TAXES.

The State tax levied in 1868, was 5 4-5 mills, for the following purposes: For schools, $1\frac{1}{2}$ mill; for general purposes, $1\frac{1}{2}$ mill; for canals, 1 11-195 mill; for bounty debt, 2 1-6 mills, and for the Whitehall and Plattsburgh Railroad, 1-13 mill—total, ten million two hundred and forty-three thousand three hundred and seventeen dollars and one cent (\$10,243,317.01). The State tax levied in 1867 amounted to twelve million six hundred and forty-seven thousand two hundred and eighteen dollars and seventy-one cents (\$12,647,218.71).

STATE DEBT.

On the 30th September, 1867, the total funded debt was forty-eight million three hundred and sixty-seven thousand six hundred and eighty-two dollars and twenty-two cents (\$48,367,682.22), classified as follows:

General Fund debt, five million six hundred and forty-two thousand six hundred and twenty-two dollars and twenty-two cents,	\$5,642,622 22
Contingent, one hundred and thirty thousand dollars, ...	130,000 00
Canal, fifteen million seven hundred and thirty-three thousand and sixty dollars,	15,733,060 00
Bounty, twenty-six million eight hundred and sixty-two thousand dollars,	26,862,000 00
	<hr/>
	\$48,367,682 22

On the 30th September, 1868, the total funded debt was forty-four million nine hundred and sixty-eight thousand seven hundred and eighty-six dollars and forty cents (\$44,968,786.40), classified as follows:

General Fund debt, four million seven hundred and seven thousand eight hundred and twenty-six dollars and forty cents,	\$4,707,826 40
Contingent, sixty-eight thousand dollars,	68,000 00
Canal, fourteen million two hundred and forty-nine thousand nine hundred and sixty dollars,	14,249,960 00
Bounty, twenty-five million nine hundred and forty-three thousand dollars,	25,943,000 00
	<hr/>
	\$44,968,786 40

The following statement shows the amount of the State debt on the 30th of September, 1868, after deducting the unapplied balances of the Sinking Funds at that date:

	Debt on the 30th September, 1868.	Balances of the Sinking Funds September 30, 1868.	Balance of debt after applying Sinking Funds.
General Fund,	\$4,707,826 40	*\$153,178 54	\$4,554,647 86
Contingent,	68,000 00	15,517 82	52,482 18
Canal,	14,249,960 00	4,017,232 43	10,232,727 57
Bounty,	25,943,000 00	†1,918,408 87	24,024,591 13
	<hr/>		
	\$44,968,786 40	\$6,104,337 66	\$38,864,448 74

* Includes \$260,000 due October 1, 1868, and since paid.
Deducting interest accrued to October 1, 1868, payable January 1, 1869.

It appears from this statement that over six millions of dollars (\$6,000,000), balances of sinking funds, have accumulated, applicable to the redemption of the debt, and that the net amount of the State's indebtedness at the end of the fiscal year was only thirty-eight millions eight hundred and sixty-four thousand four hundred and forty-eight dollars and seventy-four cents (\$38,864,448.74). The sinking funds, which there is no reason to suppose will be diminished, will, at their present rate of application, extinguish the whole debt within nine years.

CANALS.

The following statement will show the condition of the Canal Fund for the fiscal year:

Canal Fund.

Balance in the treasury and invested October 1, 1867, three million eight hundred and forty thousand nine hundred and thirty five dollars and sixty-six cents,.....	\$3,840,935 66
Received during the year ending 30th September, 1868, five millions six hundred and eighty-one thousand two hundred and twenty-six dollars and eleven cents,.....	5,681,226 11
	<hr/>
	\$9,522,161 77
Paid during the year, four million eight hundred and twenty-three thousand two hundred and thirty-nine dollars and thirty-three cents,	4,823,239 33
	<hr/>
Leaving a balance 30th September, 1868, of four million six hundred and ninety-eight thousand nine hundred and twenty-two dollars and forty-four cents,.....	\$4,698,922 44
	<hr/>

Revenues and Expenditures for the fiscal year.

Statement of the revenues of the State canals, and the expenses of collection and ordinary repairs during the fiscal year ending 30th September, 1868:

Receipts.

Tolls, four million four hundred and seventeen thousand five hundred and fifty-nine dollars fifty cents,	\$4,417,559 50
Rent of surplus water, seven hundred and fifty dollars,..	750 00
Interest on current revenues, thirty-two thousand seven hundred and ninety-one dollars and sixty-nine cents,...	32,791 69
Miscellaneous receipts, twenty-six thousand four hundred and forty-four dollars and ninety-eight cents,	26,444 98
	<hr/>
	\$4,477,546 17
	<hr/>

Payments.

To Canal Commissioners for ordinary repairs, two hundred and forty-one thousand six hundred and forty-seven dollars and eighteen cents,.....	\$241,647 18
To contractors, for repairs, seven hundred and seventy-five thousand one hundred and eighteen dollars and seventy-four cents,	775,118 74

To Superintendents, for repairs, two hundred and ninety-one dollars and two cents,	\$291 02	
To Collectors, for salaries, clerk hire, pay of inspectors and expenses of collectors' offices, seventy-six thousand seven hundred and sixty-one dollars and eleven cents,	76,761 11	
To Weighmasters, thirteen thousand three hundred and forty-seven dollars and seventy cents,	13,347 70	
For salaries chargeable to annual revenues, refunding tolls, printing, and other miscellaneous payments, seventy-seven thousand and seventy-nine dollars and twenty-nine cents,	77,079 29	
	<hr/>	\$1,184,245 04
"Surplus revenues," three million two hundred and ninety-three thousand three hundred and one dollars and thirteen cents,		\$3,293,301 18

Amounts set apart by Article seven of the Constitution. viz. :

To Sinking Fund, under section 1, one million seven hundred thousand dollars,	\$1,700,000 00	
To Sinking Fund, under section 2, three hundred and fifty thousand dollars,	350,000 00	
To Sinking Fund, under section 3, one million one hundred and sixteen thousand two hundred and forty-two dollars and sixty-six cents,	1,116,242 66	
For the support of government under section 3, one hundred and twenty-seven thousand and fifty-eight dollars and forty-seven cents,	127,058 47	
	<hr/>	\$3,293,301 18

Canal Debt, paying interest 30th September, 1868.

	Principal.	Annual interest of.
Under art. 7, sec. 1, of the Constitution,	\$2,230,700 00	\$111,535 00
Under art. 7, sec. 3, of the Constitution,	10,324,100 00	619,196 00
Under art. 7, sec. 12, of the Constitution,	1,685,000 00	101,100 00
	<hr/>	<hr/>
	\$14,239,800 00	\$831,831 00

There are also ten thousand one hundred and sixty dollars (\$10,160) of canal debt, which sum is past due, and does not now bear interest; this is included in my previous statement of canal debt.

The aggregate balance of all Sinking Funds applicable to the canal debt in the treasury, and temporarily invested on the 30th of September, was four million and seventeen thousand two hundred and thirty-two dollars and forty-three cents (\$4,017,232.43). These Sinking Funds are pledged for the payment of the interest and the redemption of the principal of the several debts and loans incurred under sections one, three

and twelve of article seven of the Constitution, in the construction and enlargement of the canals. The application of the above balance to the several debts, for the payment of which these funds have been provided and set apart, would reduce the above outstanding indebtedness to the sum of ten million three hundred and seven thousand nine hundred and twenty-one dollars and twenty-four cents (\$10,307,921.24), as will more fully appear from the following statement:

	Debt 30th September, 1898.	Balance of Sinking Fund, 30th Sept., '98, includ'g temporary investments.	Balance of debt after applying Sinking Funds.
Under art. 7, sec 1, of the Constitution,	\$2,240,860 00	\$2,316,053 67	
Under art. 7, sec. 3, of the Constitution,	10,324,100 00	1,122,520 12	\$9,201,579 88
Under art. 7, sec. 12, of the Constitution,	1,685,000 00	578,658 64	1,106,341 36
	<u>\$14,249,960 00</u>	<u>\$4,017,232 43</u>	<u>\$10,307,921 24</u>

It will be seen from the last statement, which is made up by the Canal Department, that the total amount of canal debt is seventy-five thousand one hundred and ninety-three dollars and sixty-seven cents (\$75,193.67) in excess of the amount previously stated by me. The first statement is from the Comptroller's books. The explanation of this discrepancy is as follows:

The Canal Debt, under section 1 of article 7 of the Constitution, is two million two hundred and forty thousand eight hundred and sixty dollars.....	\$2,240,860 00
The Sinking Fund is two million three hundred and sixteen thousand and fifty-three dollars and sixty-seven cents	2,316,053 67

Excess of sinking fund over debt, seventy-five thousand one hundred and ninety-three dollars and sixty-seven cents \$75,193 67
—which the Comptroller has included in the sinking fund applicable to the payment of the residue of the canal debt, and which the Auditor does not include.

The amount carried to the Sinking Fund, under section one is fully sufficient to pay the balance due on the debt originally incurred for the construction of the canals, and known as the Canal Debt of 1846. The extinguishment of this debt makes a further annual appropriation of one million seven hundred thousand dollars (\$1,700,000) no longer necessary, and enables the Legislature to apply the surplus revenues to the immediate payment of the General Fund Debt and Enlargement Loans, in accordance with the provisions of sections two and three of article seven of the Constitution.

The Auditor of the Canal Department reports, that the balance due on the General Fund debt for the payment of which the canal revenues are chargeable, is four million five hundred and fifty-four thousand six hundred and forty-seven dollars and eighty-six cents (\$4,554,647.86). The annual appropriation of one million five hundred thousand dollars (\$1,500,000) hereafter required by said section two, will be sufficient to

pay the principal and accruing interest of this debt in less than four years. The debt contracted by virtue of the provisions of said section three, for the enlargement and completion of the canals, amounting, on the thirtieth of September last, to ten million three hundred and twenty-four thousand one hundred dollars (\$10,324,100), matures on an average in less than six years. To supply the sinking fund with the means to pay the interest and redeem the principal of this debt as it falls due, will require an annual appropriation of two million three hundred and forty thousand dollars (\$2,340,000). Funds have been provided for the payment of all outstanding claims and liabilities against the State, except such as may have arisen during the last year for awards made by the Canal Appraisers for lands appropriated or occupied for public purposes. The amount of business transacted upon the canals, their general condition, management and supervision, compare favorably with any previous season. Their revenues have been nearly half a million in excess of those of 1867, while their current expenses, for care, superintendence and ordinary repairs, have been over two hundred thousand dollars less than the annual average for the four preceding years.

It affords me great pleasure to congratulate the Legislature and the people of the State upon the fact that the surplus revenues of the canals for the past fiscal year have been sufficient to pay the balance of the canal debt of 1846, satisfy the other requirements of the Constitution, and contribute over a hundred thousand dollars "to defray the necessary expenses of the government."

The Erie canal, by its geographical position and its physical characteristics, has a special and an important relation to the commerce and business not only of our own State, but of the populous and rapidly-growing communities of the great northwest. Connecting the Hudson with the lakes, it is an indispensable link in a chain of water communication, which continues to be of great power and value, notwithstanding the improvements in the methods of land transportation which are characteristic of our times. This work is a trust for the people of this State, whose enterprise and capital have created it; but it is to be administered in a spirit of liberality toward those great populations whose growth has been fostered by it, and whose welfare it continues to affect. To maintain it in a condition of efficiency, and to improve it in a practical manner, as the necessities of business may from time to time demand, is our interest as proprietors, and our policy with reference to the commerce of the State and country. To protect it from embarrassment, arising out of improvident expenditures, ill-considered changes in its structure, or charges upon its revenues, growing out of other undertakings, is an obligation clearly resting upon us. The general plan of its construction and its adaptation to the business for which it was intended, provide a convenient, easy, and an economical means of transportation. The complaints that have arisen, some of which have been made the occasion of demands for fundamental changes in the work, have been provoked mainly by failures in the administration.

The most unnecessary, as well as the most mischievous, of these failures has been the allowing of the water-way of the canal to become narrow at the bottom, and shallow, by neglect to remove the gradual accumulations of earth incident to the use of the work and the lapse of time. The consequences have been that the flow of water has been obstructed, its supply lessened, especially on the short levels, the movement of the boats retarded, the time of transits lengthened, and the cost of transpor-

tation increased. Frequent complaints, of a serious character, have also arisen from the failure to make provision for prompt repairs, for keeping the locks in efficient working order, and for doubling them when necessary. All persons doing business on the canals will agree that these evils have been much less during the navigation season of 1868 than before. During and for some time prior to the season of 1867, they were so serious as to greatly impair the efficiency of the canals and to create very extensive dissatisfaction among all persons engaged in the business of transportation. I do not propose now to speak at length in regard to the specific improvements to the making of which such surplus revenues as the State may have at its command should be applied. Upon this subject, I respectfully refer you to the able report of the State Engineer, of which I ask your careful consideration. Besides such general improvements as experience suggests, and the demands of commerce require, it is a constant duty, as well as the best economy, to keep the canals at all times in thorough repair, and in the best and most efficient working condition. It is especially important, that the water-way be restored to its full dimensions, and even be incidentally and progressively enlarged. The considerations which I have submitted are applicable to all the canals in proportion to the extent of their business.

With regard to the present contract system for repairs to the canals, I beg leave to call your attention specially to the following extract from the report of the State Engineer: "The present system of repairs has proved a great disappointment to its early advocates, and, as an experiment, has wholly failed in protecting the interests of the State, and in preserving and maintaining our public works. It has proved to be anything but economical to the State, or beneficial to navigation, and its repeal is earnestly desired by all directly interested in the navigation of the canals, and strongly recommended by all the present and retiring canal officials." These views of the State Engineer meet with my full approval, and I unite in his recommendation. In concluding these remarks, I desire to enter my earnest protest against the proposition, which in some quarters has met with favor, that it is the duty of the general government to interest itself in our canals, and ultimately to acquire control of them. Our State has a just pride in its public works, and is quite competent to take care of them. To foster and protect them, to adapt them fully to the public necessities and to the growing demands of the internal commerce of the country, should be the duty of the Legislative and Executive departments.

SALT SPRINGS.

The Superintendent of the Onondaga salt springs reports the quantity of salt inspected during the last fiscal year at eight million seven hundred and ninety-three thousand five hundred and fourteen bushels (8,793,514), being an increase of production over that of the previous fiscal year of two million sixteen thousand four hundred and fifty-four bushels (2,016,454). The amount of revenue received from all sources was eighty-eight thousand and forty-nine dollars and forty-seven cents (\$88,049.47); total expenditures connected with the superintendency of the springs was forty-nine thousand two hundred and thirty-eight dollars (\$49,238); the amount of net revenue received by the State being thirty-eight thousand eight hundred and eleven dollars and forty-seven cents (\$38,811.47).

STATE PRISONS.

The following facts in regard to the receipts and expenditures of the State Prisons are furnished me by the Comptroller :

Earnings.

Sing Sing	\$135,863 78
Auburn	125,334 89
Clinton	238,428 55
	<hr/>
	\$499,127 22

Payments.

Sing Sing	\$303,364 36
Auburn	208,839 53
Clinton	420,008 31
	<hr/>
	\$932,212 20

For the number of inmates of the several prisons, and other details, I respectfully refer you to the reports of the Inspectors, which will be duly presented.

Our prisons have not been for many years self-supporting institutions. I am satisfied they can be better managed, as well in respect to finances as discipline. The prison system of this State abounds in evils and errors. Many of these are, doubtless, due to the fact that the persons appointed to discharge the duties of agents, wardens and keepers, are too often selected from political considerations only, without reference to their capacity and qualifications. The present contract system for the employment of the labor of the prisoners is an unwise one. It affects very unfavorably the discipline of the institutions, and does not produce satisfactory pecuniary results. The labor of the convicts should be directed and employed entirely by the Prison Superintendents, and the products of such labor should be sold by them for the benefit of the State. This system would remove many existing causes of complaint in regard to convict labor, and result in material advantage to the public.

The law passed some years ago allowing to convicts, for good behavior, a certain number of days' deduction from their terms of imprisonment, by way of commutation of sentence, has been beneficial in its operation; and if, under a system by which the Superintendent should directly employ the labor of the prisoners, provision should be made that a small portion of their earnings be laid aside for their benefit, to be paid to them on the expiration of their sentence, the effect upon their present conduct and future lives would, I think, be useful alike to them and to society. I cannot in this message enter into detailed statements and suggestions of all that is necessary for prison reform. I commend to your consideration the report of the Prison Association, which, under a resolution of the last Legislature, was directed to investigate the financial administration of the State prisons and the reformatory agencies employed in them.

It is time that the great State of New York, throughout which extends such a grand and liberal system of education and charity, should give to this subject of prison management and reform the attention which its importance demands, and which, hitherto, it has failed to receive.

I commend to your favorable consideration the various houses of refuge and other institutions for the reformation of juvenile delinquents. It is

wise economy to aid them, and to provide for their increase and extension.

I respectfully call your attention to the present practice of detaining witnesses in criminal cases, when unable to give security for their appearance at the trial of the accused. They are generally poor, sometimes strangers temporarily visiting the State and made the victims of crime, often have families dependent upon them, and are kept in prison upon the claim that public necessity requires their actual presence at the trial. It frequently happens that while the unfortunate witness is in prison, the alleged criminal is at large, on bail. The unnecessary detention of the innocent to convict the guilty is a cruel wrong. I submit whether it cannot be remedied by proper legislation.

INSURANCE.

Inasmuch as the report of the Insurance Department is not due until after the assembling of the Legislature, I am unable to communicate any information in regard to its workings during the past year: I refer you to the report when presented.

BANKS.

The number of financial institutions having relations, more or less intimate, with the Banking Department, on September 30, 1868, was four hundred and eighty-eight (488).

Of these, two hundred and forty-eight (248) were banks that had voluntarily taken the final steps to close their banking business under the laws of this State, by providing for the redemption of their circulation within six (6) years.

Three (3) others are insolvent, but their circulating notes are amply secured. Forty-eight (48) banking institutions, not above enumerated, have been converted into national banks or are otherwise changing their condition, but have not availed themselves of the provisions of the law for finally closing their circulation account.

One (1) trust company and one (1) savings bank are voluntarily winding up their affairs, and one (1) savings bank, the Niagara County, is closing its business in consequence of insolvency, with liabilities, however, supposed to be less than four thousand dollars (\$4,000).

Forty-seven (47) incorporated banks, whose charters have expired, still have notes outstanding, for the redemption of which they have not made any final deposit.

One hundred and one (101) savings banks, with an aggregate of deposits exceeding one hundred and fifty millions of dollars (\$150,000,000); forty-five (45) banks of discount and deposit, including some of the oldest and most substantial and popular institutions in our State; and four (4) trust companies, with large capital and extensive business, still retain relations with this department, unaffected by the financial changes of the last few years. One of these, The Mechanics' and Farmers' Bank of Albany, has evinced its confidence in the free banking system of the State of New York, by returning to it from the national system, under the provisions of the enabling act of 1867.

One (1) banking association, one (1) trust company, and two (2) or more savings banks, have been organized during the year, and other banking associations have filed certificates, but have not taken the final steps to organization precedent to the transaction of business.

The whole amount of circulating notes of all banks in this State, outstanding and charged to their accounts, on the 1st day of October last,

was two million nine hundred and fifty-four thousand three hundred and ninety-one dollars (\$2,954,391); of this one million six hundred and sixty-five thousand eight hundred and fifty-five dollars (\$1,665,855), were issues of free banks, one million two hundred and eighty-eight thousand five hundred and thirty-six dollars (\$1,288,536) were issues of Safety Fund and Incorporated Banks. The amount for which securities were held by the Superintendent of the Banking Department was two million and twelve thousand seven hundred and sixty-eight dollars (\$2,012,768), leaving unsecured nine hundred and forty-one thousand six hundred and twenty-three dollars (\$941,623). But this consists, for the most part, of notes of very old banks, and is represented by their account of supposed lost circulation, or of banks that through some form of organization still redeem their notes dollar for dollar, and in some instances in gold.

The amount of circulating notes returned to the Bank Department and destroyed during the last fiscal year, was nine hundred and ninety-one thousand two hundred and seventy-three dollars (\$991,273).

MILITIA.

The Adjutant-General reports that the National Guard of the State is, in its organization and discipline, in a sound and prosperous condition; that it numbers between twenty-five thousand (25,000) and thirty thousand (30,000) men, and consists of—

Fifty regiments of infantry.
 Three battalions of infantry.
 One regiment of artillery.
 Three battalions of artillery.
 Three batteries of artillery.
 Three regiments of cavalry.
 Two battalions of cavalry.
 One squadron of cavalry.

The Legislature of 1868 authorized a reduction of the maximum force from fifty thousand (50,000) to thirty thousand (30,000), and during the year forty-nine (49) regiments of infantry and two (2) battalions of artillery have been disbanded.

It will be my aim to reduce, as far as possible, the military expenses of the State, without impairing the efficiency of the State National Guard.

EDUCATION.

The condition of the Colleges and Academies of the State will appear from the Annual Report of the Board of Regents of the University. The opening of the Cornell University, at Ithaca, in October last, was an event of marked interest. The widely extended influence of the Academies in the State entitle them to liberal consideration. A suggestion has been made that the annuity given, more than thirty years ago, from the United States Deposit Fund, might now, with propriety, be increased. The State Library and the State Cabinet of Natural History, both under the control of the Regents of the University, are in a satisfactory condition. The additions to the Library, during the past year, have been larger than usual. The collections of the State Cabinet have been greatly increased. I recommend the usual appropriations for both.

I submit the following statement in relation to the Common Schools, for the year ending September 30, 1868:

FINANCIAL.

Receipts.

Amount reported on hand, Oct. 1, 1867..	\$1,197,924	70
Apportioned to districts.....	2,315,166	80
Proceeds of Gospel and School Lands....	22,843	46
Raised by local taxation	6,311,186	12
From all other sources.....	633,346	58
	<hr/>	
	\$10,480,467	66

Expenditures.

For teachers' wages.....	\$5,586,546	42
For libraries	26,928	48
For apparatus	234,382	34
For colored schools.....	64,765	58
For school houses, sites, repairs, furniture, etc.....	2,166,566	22
For all other incidental expenses	930,640	61
Amount reported on hand Oct. 1, 1868...	1,470,640	01
	<hr/>	
	\$10,480,467	66

STATISTICAL.

Number of children of school age.....	1,464,424
Number of children attending school some portion of the year,	971,512
Number of teachers employed in common schools for twenty-eight weeks or more.....	16,580
Number of male teachers	5,883
Number of female teachers.....	21,870
Number of school districts.....	11,731
Number of school houses	11,673
Number of volumes in district libraries	1,064,229
Amount of public money to be apportioned during the current fiscal year	\$2,520,000

Since the school tax was increased from $\frac{3}{4}$ of a mill to $1\frac{1}{4}$ mills, and the schools opened to all of proper age without charge, the number of children attending has greatly increased. Four Normal schools for the training of teachers are in full operation. Two others will be opened early in the present year, and two more early in the year 1870.

It is not necessary for me to urge upon you the importance of doing whatever may be necessary to foster the educational interests of the State.

CHARITIES AND ASYLUMS.

In relation to the operation of the several public charities and asylums in the State, I respectfully refer you to the official report, which will be transmitted.

The commission of Public Charities was organized under an act of the Legislature of 1867. During the past year nearly all the charitable institutions of the State, both public and private, and also the poor-houses, have been visited under the authority of the Board. Until the creation of this commission, notwithstanding the large annual contributions of the State to charitable institutions, no provision existed for any systematic supervision or examination of them. The report, which will soon be submitted, will, I doubt not, present many interesting facts, and valuable suggestions. I commend all the great charities of the State to

the favorable consideration of the Legislature, and recommend such additional legislation as may be necessary to increase the efficiency of the commission.

The title to the Inebriate Asylum at Binghamton, is, under the operation of the law passed in 1867, vested in the State. No provision was made by that law for the government of the institution, and its management is still in the hands of the trustees under the charter. I submit to the Legislature whether any changes should be made in its administration.

THE NEW CAPITOL.

The commissioners of the new capitol, in pursuance of an act of the Legislature, have caused the additional land deemed requisite for the building, to be taken by appraisement. The jury of appraisal, selected under the proceedings in the Supreme Court, was composed of citizens of the highest respectability, and their awards are unquestioned. Plans for the building have been adopted, and contracts for part of the material for its foundation have been authorized. The site of the building has been fixed upon. I trust there will be no delay in the progress of this work, and recommend such legislation, with reference to it, as may be necessary.

QUARANTINE AND PUBLIC HEALTH.

The past year has been one of more than ordinary exemption from imported disease. This has arisen rather from natural causes than from any increase of our facilities for warding off its approach. The State has long rested under the charge of having enacted stringent laws for the protection of her citizens from the introduction of pestilence through her chief commercial port, without having provided proper means for their execution. With a commerce which extends to almost every clime, and with a tide of immigration which yearly adds hundreds of thousands to our population, we are constantly exposed to the introduction of infectious diseases. The Legislature early appreciated the necessity of guarding against this danger, but the mode by which it could be accomplished was surrounded with difficulties which checked, and for a while defeated, appropriate legislation. It is believed, however, that when the measures authorized by existing laws shall have been perfected, the State will no longer rest under the reproach of imposing duties upon its officers which it has left them, in a measure powerless to execute.

At the session of 1866 an act was passed constituting the Commissioners of Quarantine and the Mayors of the Cities of New York and Brooklyn a Board of Commissioners to perform certain duties, among which was the erection of a structure on West Bank, in the lower bay, of New York, to be used for a quarantine hospital. Pursuant thereto, the Board, in the month of August of that year, awarded the contract for the erection of the structure; but they were delayed by an injunction from executing the contract until the 11th of September following. Owing to this delay, it was not until the 14th of January, 1867, that the first crib work, which was to constitute the foundation of the structure, was sunk in its proper position. The inclemency of the weather soon after compelled the temporary suspension of the work, but it was resumed, and from time to time prosecuted as the elements permitted, until the foundation was completed. It is now considered to be in proper condition for the erection of the buildings thereon, and it is probable that these will be finished during the present season.

The erection of this structure was regarded as a very doubtful experiment, by many who believed that the first attempt would demonstrate its impracticability at so exposed a point in the waters of the bay. But I am advised by competent judges that its success can no longer be considered problematical.

In performing the duties enjoined upon them the Board found themselves embarrassed by the restrictions of the act by which they were created. It authorized them to enter into a contract for the erection of the structure, but, in terms, gave them no power to modify it or to guard against emergencies or to make alterations which might prove to be necessary in the progress of the work. A recent and severe storm has tested the strength of the structure more thoroughly than it had before been tried. It stood the test; nevertheless I would suggest that an addition to the rip-rap should be made for still further security.

In view of doubts existing as to the powers of the Board, I recommend such legislation as may be necessary to enable them to accomplish their work.

By an act passed at the session of 1868, the same Board was authorized to erect another structure on West Bank, to be used for a boarding-station for quarantine purposes. Pursuant to that act they have entered into a contract and I am advised that the work is now in successful progress. Only fifty thousand dollars (\$50,000) was appropriated by the act, but it was generally supposed that a sum of fifty thousand dollars (\$50,000) which had been appropriated in the Supply Bill of 1867, for the erection of a place for the temporary detention of passengers under quarantine, could be applied to this purpose. A doubt, however, has been suggested, whether the act of 1867 is not, in this respect, wholly superseded by a subsequent enactment. I respectfully recommend whatever legislation may be necessary to complete this work, so essential to the due administration of our quarantine system.

The report of the Commissioners, which will be laid before you, will contain the statistics in reference to diseases treated under quarantine during the past year.

CATTLE DISEASE.

During the past summer a contagious disease, known as the Texas cattle disease, made its appearance in the Western States, and measures were immediately adopted by the commissioners appointed for the purpose to prevent its introduction into our State. These measures, I am happy to say, proved so successful that but few animals died of the disease, and in every instance it was confined to the farms on which it originally appeared. A full report will be presented to the Legislature at an early day. It is estimated that within this State there are twelve hundred thousand (1,200,000) cattle, the annual amount of their products being upward of twenty-four million of dollars (\$24,000,000). The protection of this source of wealth is a matter of so much importance to our agricultural population as to merit the continued attention of the Legislature. I am informed that the act for the prevention of infectious diseases among cattle, passed April 20, 1866, needs amendment in order to enable the commissioners to act with the efficiency necessary to secure the objects of the law. I recommend the subject to the careful consideration of the Legislature.

IMMIGRATION.

During the past year the number of alien immigrants landed at the

port of New York was 213,708, showing a decrease from 1867 of 29,023. This decrease may be attributed to the still unsettled condition of political affairs, and the competition of other States, which, in order to attract immigration to themselves, have established direct steam communication with European countries. The Commissioners of Emigration during the past year have improved the lands and buildings and the facilities for caring for the sick and destitute on Ward's Island. They have also established a labor exchange in connection with the landing depots at Castle Garden, by means of which they have been enabled to supply the demand for labor from various parts of the country, and to secure immediate employment for many immigrants. Over thirty thousand orders for male and female immigrant labor have been filled from this bureau of the department. For more detailed accounts of the workings of the Emigrant Commission, you are respectfully referred to the annual report, which will shortly be communicated to you.

For information in regard to the various other commissions in the Metropolitan district, and other district commissions and boards in the State, I respectfully refer you to the several reports, which will be duly transmitted.

CIVIL AND CRIMINAL CODES, ETC.

The codes prepared by the two commissions organized under the Constitution, have heretofore been presented to the Legislature. The Practice Commission, created pursuant to the twenty-fourth section of the sixth article, has reported codes of civil and criminal procedure; and the Code Commission, created pursuant to the seventeenth section of the first article, has reported civil, penal and political codes. A book of forms has also been prepared, adapted to the code of civil procedure. These volumes were designed to lay before the people, in a concise and systematic form, the whole body of the law, common and statutory, with formulas for general use. Much labor has been expended by the commissioners upon their work, which has commanded considerable public attention. The code of civil procedure has been, to a great extent, adopted by sixteen States and territories; the code of criminal procedure by ten of them; and the civil and penal code, the last reported, has been adopted by two of the territories. In view of the great importance attached to the subjects embraced in these various reports, I commend them to your early consideration.

If they do not command the approval of the Legislature, I respectfully suggest the propriety of prompt action to secure a new revision of the statutes of the State, as well as an immediate reform in our criminal laws.

I particularly recommend that provision be made by statute that in all cases of murder, where the degree of premeditation, or the circumstances attending the homicide do not, in the opinion of the jury, justify punishment by death, they may render a verdict of murder of a less degree, to be punished by imprisonment for a term of years, the maximum of which shall be fixed by law.

METROPOLITAN DISTRICTS AND COMMISSIONS.

The Constitution of the State, in terms, recognizes for the purposes of local government, counties, cities, towns and villages, and no other territorial divisions. It directs that all officers, whose appointment is not provided for by it, shall be elected by the electors or appointed by the authorities of the locality within which their powers are to be exer-

cised, distinctly recognizing the right of electors in local communities to choose their own officers, and, as they bear their own burdens, to administer their own affairs. The plain spirit of the Constitution has been clearly violated in the creation by the Legislature of other geographical divisions than those fixed and established by the organic law. It is true, the highest court of the State, by a bare majority vote, held this legislation valid; but it has, nevertheless, been very generally admitted to have been a partisan contrivance for power, and if not an open violation, at least an evasion of the Constitution. One of these districts, called the Metropolitan district, embraces the counties of New York, Kings, Westchester and Richmond. The people of these counties, and of the cities of New York and Brooklyn, have thus been deprived of the right of managing their own local affairs in many important particulars, especially with reference to matters of health, police, and excise, and these interests have been committed to officers appointed by State authority, who do not represent the majority of the inhabitants of the respective counties.

The effect has been, virtually, to give to the political minority in these districts the power of governing the majority. This never was contemplated by the framers of the Constitution, whose manifest intention was that power and responsibility should go together. I unhesitatingly recommend the repeal of all laws creating these district commissions, and the restoration to the people of every county and city in the State of the constitutional power to regulate and manage their own local affairs. Whatever theory may have been advanced originally in regard to the necessity of these commissions, the fact is indisputable that they have been established only over localities and communities which were not in political sympathy with the dominant party in the Legislature. I recommend the repeal, not only because the legislation to which I object is a usurpation of power and an evasion of the Constitution, but also because the commissions themselves have been to a great extent partisan in their character and conduct, and because the majority of the people in the respective districts have had no effective representation in them; and these commissions being controlled by authority foreign to the communities in which they exist, and owing no responsibility to the people governed, have been administered without regard to popular rights.

MUNICIPAL GOVERNMENT.

Questions relating to municipal government in our great cities have immediate connection with the subject to which I have just referred. It is a favorite theory with some that the people of such cities cannot safely be intrusted with the management of their own affairs, and that the State at large is so directly interested in their good government that it should assume entire control over them. No man can assent to this without admitting that our republican form of government is a failure. About one-half of the population of the State reside within the limits of cities; and this theory, if true, would necessarily lead to the conclusion that one-half of our people are unfit to exercise the duties and enjoy the privileges which pertain to the citizens of a free government.

In the city of New York, which may properly be selected as an illustration of my views, the advocates of this false doctrine have, for many years, had an opportunity to try their experiment. They are themselves to-day forced to admit that it has resulted in a failure. The mayor of the city, its chief magistrate, to whom the people naturally look for a redress of grievances, is deprived of nearly all the powers which properly belong to the executive. There is no department in the city government

which is not independent of him, and which does not dispense more patronage and exercise more power than he. The Departments of Police, Health, Excise, Public Charities and Fire, are controlled and directed by separate and distinct commissions, acting independently of each other and of the mayor. He has no voice in any of these. He can issue no order to any of them. He can call none of them to account. There is no connection between them and the common council of the city, nor between them and the departments proper of the municipal government, although the local authorities are compelled to raise money for their support and maintenance. The result is, as must always be expected in any government so made up and to which there is practically no executive head, confusion, clashing interests, want of harmony, absence of responsibility, extravagance, waste and general inefficiency. I do not intend to be understood as saying that there are not many things well done; but I affirm that this system, or rather want of system, and this conflict of authority and responsibility, have failed to produce good local government. Among the various commissions the one which has, perhaps, accomplished the most satisfactory results, is the Commission of Public Charities and Corrections, the members of which are appointed by local authority. It has always remained since its creation entirely non-partisan. Its administration has commanded general approval. These facts of themselves afford abundant proof that there is not now, and never was, any necessity or justification for the interference by the Legislature with the plain constitutional right of the people of the city to regulate and manage their own local affairs.

About one-half the amount raised by tax within the city is disbursed by the independent commissions referred to, whose expenditures are subject to no adequate supervision, and who have practically no responsibility. One of the most certain means of correcting misgovernment is direct responsibility to the people, who, through the ballot box, have summary power of redress. It is the right of the people of that city, as it is the right of the people of all other parts of the State, that they should not be taxed without representation, as well as that the officials placed over them should recognize their direct accountability to the popular judgment. When officers placed over the people, by legislative action, expend money or incur responsibility, they do not consider the constituency who pay the bills. They regard themselves as invested with authority by partisan influences from other parts of the State, to secure political ends—and whether they are faithful or inefficient, prudent or reckless and corrupt in expenditure, just, or arbitrary and oppressive, they are apt to believe their party will sustain them as a matter of party necessity.

Experience proves that such officials, imposed, for partisan objects, to usurp power for the minority, consider that a harsh and imperious disregard of the rights of the majority is likely to commend them to those in other parts of the State to whom alone they owe allegiance. This feeling on the part of the superior officers soon infuses itself among the subordinates. The result is, that the government becomes an inconsiderate tyranny rather than a temperate and responsible exercise of authority. If this were otherwise, and the people were not taxed and governed without any right of redress, every dollar paid for taxation would draw with it direct responsibility, and every officer would feel himself at all times on trial for his public acts. No party could long maintain local ascendancy which did not nominate the best men for office; and did not,

by economy and good government, make their control of affairs consistent with the interests of the people.

These considerations are applicable, not alone to the cities of New York and Brooklyn, but to all other cities in the State, which have been brought under the operation of laws establishing district commissions.

I deem it my duty in this, my first annual message, to give decided expression to my opinion that no good government can be secured to any great city unless it shall have one responsible head, in whom shall be vested all executive power, and to whom, as the elected representative of the people, all departments charged with executive duties shall be directly and summarily responsible and accountable.

If, with this as the fundamental idea, a plan shall be devised which will give to the political minority within a city a just representation in its councils, we shall, doubtless, secure better results in municipal government than have ever before been attained.

I respectfully call the attention of the Legislature to another subject, in which the people of the city of New York have and feel a deep interest. The commercial needs of the metropolis demand that there should be some speedy and wise legislation with reference to its wharves and piers. They should be constructed after the very best plan for making them convenient, adequate and enduring. The work should be commenced as soon as possible.

The question of probable cost is of but little importance. The city can well afford to pay whatever may be necessary to complete the work; when completed it would, by the aid of proper legislation in relation to wharfage, yield a revenue sufficient to pay the interest on the expenditure, and to create a sinking fund for the speedy extinguishment of the debt incurred in the construction. It is not necessary that I should commit myself to any particular form of legislation for the accomplishment of this result, but I would respectfully recommend, by way of suggestion, that if it should be deemed impossible to mature a plan during the present session, the mayor of the city of New York be authorized to appoint a board, with authority to examine the whole subject, and to report to the next Legislature, for its consideration, a plan of the proposed work, with an estimate of its probable cost, and such suggestions, with reference thereto, as they may deem proper.

THE EXCISE LAW IN THE METROPOLITAN DISTRICT.

The Excise law which is in force throughout the Metropolitan district, excepting only in the county of Westchester (which was, for some reason, exempted by the Legislature from its operation), violates principles involving rights of individuals and communities. It confers upon the Excise Board created by the Legislature, and deriving none of its authority from the people in the district, extraordinary and arbitrary powers; and contains, in my judgment, many harsh and unwise provisions. If the objects of its enactment were to diminish the amount of intemperance, and to lessen the consumption of intoxicating liquors, these objects have not been attained. At the same time, this law has been executed and enforced in an arbitrary, despotic, and intemperate manner, and in a spirit which has created great dissatisfaction even among many who were its original supporters; while large numbers of sober, temperate, industrious and law-abiding citizens feel that they are oppressed by its onerous exactions and requirements. No one deplures more than I do the evils of intemperance; but they are not local, are not confined to any section or district, and if they can be checked or modi-

fied by legislation, the remedy can only be secured by the operation of general laws. There is no reason, in my judgment, why the whole, or any portion of the Metropolitan district should be subjected to an excise law different from that applied to other parts of the State. All such laws should be universal in application, and should have for their object not the enforcement of extreme and arbitrary views, but the encouragement of good habits and the preservation of public order. The present law needlessly violates private rights. It provokes hostility because it does so, and because it is administered harshly by partisan officers. I therefore recommend its repeal, so that we may have but one law for the whole State, to be administered, whether in counties or in cities, by the legally constituted local authorities thereof, or by officers to be appointed by them. Such a law would command universal respect and general obedience.

PURITY OF ELECTIONS.

Every means should be adopted by which the electors may have secured to them freedom from intimidation or corrupt influences in the exercise of the elective franchise—the highest privilege of a citizen. It cannot be denied that wealth, by its lavish expenditure to control elections, is fast becoming more influential than abilities and public service, to obtain political power and official station. It is not unusual to hear the claims of public men asserted in proportion to the pecuniary contributions which they make to party funds in amounts which obviously cannot be required or used for the legitimate purposes of an election. It is one of the startling evils of the times, that nominations to important offices are sought by and given to men of vast wealth, not because of their capacity and qualifications, but in order that their money may be used to accomplish success. The dangers arising and to be apprehended from this condition of things are manifold. Officials are taught that money, however acquired, is the passport to office and authority; electors are corrupted, and a power is built up, founded on the possession of riches and their corrupt use, tending to the subversion of the rights and liberties of the people, and the destruction of the principles of our government. As one result of this growing tendency of moneyed influences to assert an exclusiveness of class, and a superior domination, sectional and class legislation has been adopted of late years to control, even in regard to suffrage, large communities by special laws not applicable to other parts of the State. Before the law all men are equal, and never more so than when in the performance of their right and duty of voting to sustain principles, and to elect their representatives. Laws to provide regulations and restrictions in regard to elections should apply to all citizens and to all sections alike. The laws to preserve the purity of the ballot-box and to prevent the corrupt use of money in elections should be general, stringent, and rigorously enforced. In my judgment there should be one registry law for the whole State, imposing equal conditions and restrictions everywhere, and it should be the aim thereof to secure to every citizen his right of suffrage, free from intimidation, corruption, or onerous exactions; while the corrupt use of money in elections should be severely punished, and every guaranty established by which illegal voting may be prevented.

FEDERAL CENTRALIZATION.

In this connection it may not be improper to allude to the fact that there is a manifest disposition in some quarters to encourage a movement

to vest in Congress the control and regulation of suffrage in all the States. This is another step in the direction of centralized power in the general government—a power to control elections—which would enable dangerous and unscrupulous men, who might obtain possession of the national administration, to hold it indefinitely, even against the real will of the people. It is very certain that purity of elections in States cannot be secured by transferring the direction or control of them to the authorities at Washington. There can be no purity in the general government unless it exists first in the States and in the people. The founders of our government never contemplated the interference of Congress in this matter. They expressly guarded against it.

By the Federal Constitution "the times, places and manner" of holding elections for Senators and Representatives are required to be prescribed in each State by the Legislature thereof; but it is provided that Congress may at any time make or alter such regulations except as to the places of choosing Senators. This authority to prescribe regulations as to "the time, places and manner" of holding elections, was contested at the adoption of the Constitution as vesting in Congress too great a power, which might be exercised so as to defeat the just rights of the States to representation—but it was argued that it was a power which never was intended to be, and probably never would be, employed, except when the States might attempt to break up the government by not sending representatives, and then only for national self-preservation. But the question of suffrage was wisely put beyond the control of Congress, and it was provided that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." This settlement of the right of suffrage was regarded "as a fundamental article of republican government." The question of suffrage is thus withdrawn from the capricious or more dangerous interference of Congress. It is not left to legislative discretion in the States, but is fixed by the State Constitutions, and here, I think, every reflecting mind will conclude that it may be wisely and safely left.

NATURALIZATION AND CITIZENSHIP.

There is also a disposition manifested to place obstacles in the way of the naturalization of citizens. While, in the Southern States the right of free and unrestricted suffrage has been suddenly conferred upon large masses of men, who have never before exercised it or discharged any other of the duties of citizens, it is now suggested that new restrictions be imposed upon the enjoyment of this high privilege by immigrants who seek to be clothed with the rights of American citizenship. Movements have been already made for depriving the State courts of the power of naturalization, and to confer this power exclusively upon the courts of the United States, and upon commissioners to be appointed by Congress. It would be impossible for the judges of the United States Courts, by reason of the pressure of their judicial duties and the few places in the country at which the sessions of their courts are held, to extend the necessary facilities to those entitled to become citizens. The whole business would necessarily devolve upon the partisan commissioners created by Congress, holding no responsible official relation to the judiciary of the country or of the States. Thus, naturalization would become more a matter of favor than of right. The power is now exercised by judges in the different States representing all shades of political faith, and if there be any abuses now, they can be remedied under the existing jurisdiction, and they are far less than those which would result

from the transfer of this power to any body of officials not chosen for their judicial qualifications, not exercising judicial functions in other matters, and created by one central authority representing necessarily a political party. These movements indicate a tendency on the part of their supporters to obstruct and hinder naturalization, and thus to discourage the renunciation, by men from other countries, of their allegiance to foreign governments in order to become faithful citizens of our own. Can this policy be a wise one? All good citizens will certainly favor such legislation as may be necessary to check or to punish frauds in naturalization. But the interests of our State and country, peopled from their origin by, and owing so much of their greatness to, men of foreign birth, and to which the tide of immigration so incessantly and rapidly flows, demand that additional rather than diminished facilities should be extended to all those of good moral character and of undoubted devotion to our institutions, who, having chosen their homes among us, desire to assume the duties and responsibilities of citizens.

We must not forget that, during the late war, when our country needed them to fight the battles of the Union, we extended to them the privileges of citizenship after one year's residence and an honorable discharge, as one of the rewards for their fidelity to the government. Now, in the time of peace, their services are quite as valuable in developing the resources of our new territories and of the Southern States, and in assisting, by their industry and toil, to work out a practical solution of the great problem of reconstruction; and every inducement should be extended to them.

CONCLUSION.

Few questions of principle or policy will be presented for your consideration, towards the decision of which precedent or experience will not furnish you an accurate guide, or, at least, effective aid. We need only, to the discharge of our trusts in our respective departments, grave, responsible, and numerous as they are, an earnest spirit, a constant and vigilant regard for the public interests, and an unceasing watchfulness in maintaining the integrity, honor and dignity of the State. With these we cannot fail to meet the just expectations of the people.

But beyond the limits of our jurisdiction, there are questions and principles of far wider significance than those which engage our official consideration; which appeal to us as citizens of a common country; which press upon the people in the form of unequal responsibilities; and in which we all have a deep and abiding interest. I allude to the national issues which await solution. I do not intend to refer to them in a partisan spirit, or to discuss them at length. These issues have presented new and difficult questions of government, of finance and taxation, resulting from the rebellion, and we are without guides in previous history to lead us to their determination. Nearly four years have elapsed since the close of the rebellion, and the Federal authorities have had unrestricted power to re-establish civil government in the States rescued from sedition, and restore to their people peace and the motives to industry; and yet how little has been done towards these ends!

Had they been attained, the South would now be enabled to bear its share of the taxation entailed by the war, and the North relieved of its unequal responsibility, while the whole country, resuming its former commercial relations, would be so far advanced in prosperity and power that in a few years our financial troubles would cease to be the subject of

anxiety. Instead of securing these results, Congress has directed its efforts to the suppression of representation, and the subversion of republican government in States, prolonging the subserviency of the civil to the military power, and postponing the return of peace. The people, at the late election, have chosen by their suffrage the Chief Magistrate to whose guidance they are willing to commit the destinies of the country, and the settlement of the issues which disturb it. These questions do not belong to party, but to the whole country; and it should be our earnest prayer that he who has been thus chosen shall prove equal to the great trust with which he is charged.

Party organizations must be kept up as the means of preserving great principles and maintaining the integrity of the Government and the liberties of the people. The majority of the citizens of this State who opposed the policy of the present dominant party in the country and the election of its candidate for the Presidency, adhere firmly to their views of public policy, the adoption of which they believe will afford the earliest and best settlement of the great questions which now distract us. They will, however, lay aside all merely partisan considerations, and join in a common spirit of magnanimity and patriotism in sustaining any administration of the Federal government in every earnest effort which it shall make to restore its credit, to maintain the public faith, to re-establish the authority of the Constitution, to unite all our people in amity and concord, to give peace and prosperity to all sections of the Union and to assert, among nations, the honor of our flag and the rights of those who claim its protection.

There is a spirit of party intolerance growing up which not only arrays men in bitter political hostility, but which creates personal hatred through mere differences of opinion. It follows the elected representatives of the people with detraction and misrepresentation, and impairs their usefulness in the discharge of important trusts involving the public welfare. I consider this a dangerous evil. Public officers, both Federal and State, should be judged by and held responsible for their acts, and not prejudged by clamor and party intolerance; nor should they be intimidated by either. My duty is defined by the oath I have taken to execute the laws of this State and to support its Constitution and the Constitution of the United States. I shall endeavor to do it faithfully; and while I shall uphold and maintain the political doctrines and principles to which I am devoted, and assert and defend the rights of the State and of the people whose representative I am, I will, as the Executive of this State support the Executive of the United States in every exercise of rightful authority, and in every patriotic effort for the welfare of our common country. The people will approve. War no longer claims offerings of lives and treasure; Peace now demands the sacrifice of prejudices and passion.

JOHN T. HOFFMAN.

Mr. Creamer offered the following resolution:

Resolved, That there be printed of the annual message of the Governor, 500 copies for the use of the Senate, and 500 copies for the use of the Executive Department.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Kennedy, the Senate adjourned.

WEDNESDAY, JANUARY 6, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Nicks presented a petition of Hiram Weeks, for canal damages, which was read and referred to the committee on claims.

Mr. Hale presented four petitions of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburg railroad, which were read and referred to the committee on finance.

Mr. Murphy presented a petition of the Long Island Safe Deposit Company, for an act reducing the number of directors necessary to constitute a quorum, which was read and referred to the committee on banks.

Mr. Morris presented a petition of D. H. Bolles and others, for an increase of salaries of the judges of the Court of Appeals and Supreme Court, which was read and referred to the committee on the judiciary.

Mr. Campbell presented a memorial and resolutions of the board of supervisors of Oneida county, for the repeal of acts pertaining to the National Guard, which were read and referred to the committee on militia and public defence.

Also a memorial and resolutions of the board of supervisors of Oneida county, against making the inspection of boilers a public charge, which were read and referred to the committee on manufactures.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill in relation to the salaries of the members of the Metropolitan police.

Mr. Folger gave notice that he would, at an early day, ask leave to introduce a bill to submit to the people the Constitution, proposed by the late Constitutional Convention.

Mr. Kennedy gave notice that he would, at an early day, ask leave to introduce a bill to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund.

Mr. Hale gave notice that he would, at an early day, ask leave to introduce a bill to amend the existing laws relative to bribery and corruption.

Mr. Tweed gave notice that he would, at an early day, ask leave to introduce a bill to amend the act to revise and consolidate the general acts relative to public instruction, passed May 2, 1864.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill to repeal an act entitled "An act in relation to the bridges over the Croton river, in the county of Westchester," passed June 18, 1851.

Mr. Nicks gave notice that he would, at an early day, ask leave to introduce a bill to divide the county of Steuben.

Also a bill for the relief of Hiram Weeks, for canal damages.

Mr. Murphy gave notice that he would, at an early day, ask leave to

introduce a bill to amend the act to incorporate the New York Bridge Company.

Also a bill to incorporate the Fulton Market Fish Mongers' Association.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relative to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angel's Infirmary Academy and Industrial School for Benevolent, Charitable and Scientific Purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the village of Middletown, in the county of Orange, to issue bonds and take stock in the New York and Oswego Midland Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in Twenty-third street, and other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act authorizing and directing the disposition of money derived from the sale of the 'Church property' of 'Mendon Central Congregational Society,' of Mendon, Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act relating to evidence in criminal prosecutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to legalize the acts of James Johnson, a justice of the peace in Lewis county, and to continue him in office for the term for which he was elected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a bridge across the Chenango canal, in the village of Norwich," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the city of Syracuse to issue bonds and take stock in the Syracuse Northern and Syracuse and Chenango Valley railroad," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend the charter of the East India Telegraph Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary..

In pursuance of previous notice, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to legalize the acts of Joseph Gutman, jr., as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to provide for amendment of the Constitution of this State, respecting the number of judges of the Court of Appeals, and their term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beach moved to take from the table the preamble and resolution previously offered by him, in the words following:

Whereas, Large additions have been made, from time to time, to the capital stock of the Hudson River Railroad Company, the New York Central Railroad Company, and the Erie Railway Company; and as grave doubts exist as to the right of said companies to increase their capital stock; be it

Resolved, That the railroad committee be directed to investigate all the facts and circumstances connected with such issues of stock, with power to send for persons and papers, and with directions to report what, if any legislation is necessary, to protect the rights of bona fide stockholders in railroad corporations, and to prevent the secret issue of stock therein.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Creamer moved to amend said preamble by inserting after the word "whereas," the words "it has been charged that."

Mr. Beach accepted the amendment.

Mr. Campbell moved to refer the subject matter of said resolution to the judiciary committee, and that they be instructed to report back to the Senate in thirty days.

The President put the question whether the Senate would agree to said motion of Mr. Campbell, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley
Campbell
Creamer

Crowley
Hubbard

Kennedy
Morgan

Nicks
O'Donnell

Palmer
Van Petten

11

FOR THE NEGATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer
Beach	Folger	Mattoon	Pierce	Tweed
Cauldwell	Graham	Morris	Stanford	Williams
Chapman	Hale	Murphy		

18

Mr. Folger then asked for a division of the question, so that the vote be first taken on the preamble.

The President put the question whether the Senate would agree to said motion to adopt the preamble, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nichols	Pierce
Bradley	Edwards	Morgan	Nicks	Thayer
Chapman	Hubbard	Morris	Palmer	Williams
Creamer				

16

FOR THE NEGATIVE.

Banks	Hale	Mattoon	O'Donnell	Tweed
Cauldwell	Humphrey	Murphy	Stanford	Van Petten
Folger				

11

Mr. Tweed then moved to add at the end of said resolution, the words following: "and that they be instructed to report within the next thirty days."

The President put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, when the vote was as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Murphy	Pierce
Bradley	Edwards	Mattoon	Nichols	Thayer
Chapman	Graham	Morris	Palmer	Williams

15

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	O'Donnell	Tweed
Cauldwell	Hale	Morgan	Parker	Van Petten

15

There being a tie vote, the President voted in the affirmative, and declared the resolution adopted.

Mr. Folger offered the following resolution:

Resolved, That a respectful message be sent to the honorable the Assembly, requesting the transmission to this House of the papers on file relative to the claim of John Edwards, and to the claim of Eli A. Bronson, and that when the same reach this House they be referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Pierce offered the following resolution:

Resolved, That there be printed of the annual report of the Comptroller, 1,500 copies for the use of the Senate, and 500 copies for the use of the Comptroller.

Ordered, That said resolution be referred to the committee on public printing.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to provide for the further extension

of Prospect park, in the city of Brooklyn, and to provide approaches thereto from Atlantic avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

A message was received from the Assembly, in the words following:

IN ASSEMBLY, ALBANY, January 6, 1869.

Resolved, (if the Senate concur,) That when this Legislature adjourns on Thursday next, it adjourn to meet on Wednesday, January 13, at 11 o'clock, A. M.

By order.

E. F. UNDERHILL, *Clerk*.

Ordered, That said resolution be laid on the table.

On motion of Mr. Folger, the Senate adjourned.

THURSDAY, JANUARY 7, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Abbott.

The journal of yesterday was read and approved.

Mr. Nicks presented a petition of Ovid Plumb and others, for relief, which was read and referred to the committee on claims.

Mr. Nichols presented a petition of M. O'Connor and others, for a bridge across the Ohio basin slip in Buffalo, which was read and referred to the committee on canals.

Mr. Kennedy presented a petition of W. B. Noble and others, for a law extending the registry laws to the town of Geddes, which was read and referred to the committee on the judiciary.

Mr. Hale presented six petitions from citizens of Essex and Clinton counties, for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the "Passenger Transit Company."

Also a bill to amend the registry law, by providing for the appointment of an additional number of canvassers of election in the city of New York.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to regulate the price of freight and transportation upon railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Kennedy offered the following resolution:

Resolved, That the Clerk of the Senate furnish each Senator with a copy of the Red Book for 1868.

Mr. Folger moved to amend said resolution by inserting after the word "Senator" the words "who is not already supplied."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Folger moved to take from the table the concurrent resolution of the Assembly, in the words following:

Resolved, (if the Senate concur,) That when this Legislature adjourns on Tuesday next, it adjourn to meet on Wednesday, January 13, at 11 o'clock, A. M.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Morgan moved to amend said resolution by striking out the words "Wednesday, January 13, at 11 o'clock, A. M.," and inserting in lieu thereof the words "Monday evening, January 11th, at 8 o'clock, P. M." Mr. Crowley moved to amend said amendment by striking out the words "Monday evening, January 11th, at 8 o'clock, P. M.," and inserting in lieu thereof the words "Wednesday evening, January 13, at 7 o'clock."

The President put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Genet	Hubbard	Parker	
Chapman	Edwards	Hale	Morris	Van Petten	
Creamer					11

FOR THE NEGATIVE.

Campbell	Kennedy	Murphy	O'Donnell	Stanford	
Folger	Mattoon	Nichols	Palmer	Thayer	
Humphrey	Morgan	Nicks	Pierce	Williams	15

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hale	Humphrey	Morgan	Thayer	5
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FOR THE NEGATIVE.

Banks	Folger	Mattoon	Nicks	Pierce	
Campbell	Genet	Morris	O'Donnell	Stanford	
Chapman	Hubbard	Murphy	Palmer	Van Petten	
Creamer	Kennedy	Nichols	Parker	Williams	
Edwards					21

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morris	O'Donnell	Stanford	
Beach	Genet	Murphy	Palmer	Thayer	
Chapman	Hale	Nichols	Parker	Van Petten	
Creamer	Hubbard	Nicks	Pierce	Williams	
Edwards	Kennedy				22

FOR THE NEGATIVE.

Campbell	Humphrey	Mattoon	Morgan		4
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On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said resolution ordered transmitted to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Creamer offered the following resolution :

Resolved, That the Commissioners of Charities and Correction in and for the city and county of New York, be directed to report immediately to this body what additional legislation or appropriation, if any, is necessary for the relief of the suffering poor in said city.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented the following communication :

ASSEMBLY CHAMBER, ALBANY, *January 7, 1869.*

To HON. ALLEN C. BEACH, *President of the Senate :*

I hereby tender my resignation as Stenographer to the Senate.

Respectfully,

EDWARD F. UNDERHILL.

On motion of Mr. Kennedy, said resignation was accepted.

On motion of Mr. Folger, the Senate adjourned.

WEDNESDAY, JANUARY 13, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Thursday, January 7, was read and approved.

Mr. Hale presented eight petitions of citizens of the county of Essex, for State aid for the Whitehall and Plattsburgh Railroad Company, which were read and referred to the committee on finance.

Mr. Parker presented four petitions of citizens of Franklin county, upon same subject, which were read and referred to the committee on finance.

Mr. Tweed presented a petition in aid of the Boys and Girls Lodging Houses of the Children's Aid Society of New York, which was read and referred to the committee on finance.

Mr. Thayer presented a petition of citizens of Saratoga and Washington counties, for rebuilding free bridge across the Hudson river, which was read and referred to the committee on roads and bridges.

Mr. Humphrey presented a petition in relation to Silver Lake railroad, which was read and referred to the committee on railroads.

Mr. Morgan presented the nineteenth annual report of the Managers of the Western House of Refuge, which was laid on the table and ordered printed.

(*See Doc. No. 8.*)

Mr. Morgan offered the following resolution :

Resolved, That 1,200 copies of the annual report of the Managers of the Western House of Refuge, be printed for the use of the Institution.

Ordered, That said resolution be referred to the committee on public printing.

The President presented a communication from the Commissioners of Public Charities and Corrections in the city of New York, in reply to a

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Folger moved to take from the table the concurrent resolution of the Assembly, in the words following:

Resolved, (if the Senate concur,) That when this Legislature adjourns on Tuesday next, it adjourn to meet on Wednesday, January 13, at 11 o'clock, A. M.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Morgan moved to amend said resolution by striking out the words "Wednesday, January 13, at 11 o'clock, A. M.," and inserting in lieu thereof the words "Monday evening, January 11th, at 8 o'clock, P. M.," Mr. Crowley moved to amend said amendment by striking out the words "Monday evening, January 11th, at 8 o'clock, P. M.," and inserting in lieu thereof the words "Wednesday evening, January 13, at 7 o'clock."

The President put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Genet	Hubbard	Parker	
Chapman	Edwards	Hale	Morris	Van Petten	
Creamer					11

FOR THE NEGATIVE.

Campbell	Kennedy	Murphy	O'Donnell	Stanford	
Folger	Mattoon	Nichols	Palmer	Thayer	
Humphrey	Morgan	Nicks	Pierce	Williams	15

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hale	Humphrey	Morgan	Thayer	5
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FOR THE NEGATIVE.

Banks	Folger	Mattoon	Nicks	Pierce	
Campbell	Genet	Morris	O'Donnell	Stanford	
Chapman	Hubbard	Murphy	Palmer	Van Petten	
Creamer	Kennedy	Nichols	Parker	Williams	
Edwards					21

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morris	O'Donnell	Stanford	
Beach	Genet	Murphy	Palmer	Thayer	
Chapman	Hale	Nichols	Parker	Van Petten	
Creamer	Hubbard	Nicks	Pierce	Williams	
Edwards	Kennedy				22

FOR THE NEGATIVE.

Campbell	Humphrey	Mattoon	Morgan		4
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On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said resolution ordered transmitted to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Creamer offered the following resolution :

Resolved, That the Commissioners of Charities and Correction in and for the city and county of New York, be directed to report immediately to this body what additional legislation or appropriation, if any, is necessary for the relief of the suffering poor in said city.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented the following communication :

ASSEMBLY CHAMBER, ALBANY, *January 7, 1869.*

To HON. ALLEN C. BEACH, *President of the Senate :*

I hereby tender my resignation as Stenographer to the Senate.

Respectfully, EDWARD F. UNDERHILL.

On motion of Mr. Kennedy, said resignation was accepted.

On motion of Mr. Folger, the Senate adjourned.

WEDNESDAY, JANUARY 13, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Thursday, January 7, was read and approved.

Mr. Hale presented eight petitions of citizens of the county of Essex, for State aid for the Whitehall and Plattsburgh Railroad Company, which were read and referred to the committee on finance.

Mr. Parker presented four petitions of citizens of Franklin county, upon same subject, which were read and referred to the committee on finance.

Mr. Tweed presented a petition in aid of the Boys and Girls Lodging Houses of the Children's Aid Society of New York, which was read and referred to the committee on finance.

Mr. Thayer presented a petition of citizens of Saratoga and Washington counties, for rebuilding free bridge across the Hudson river, which was read and referred to the committee on roads and bridges.

Mr. Humphrey presented a petition in relation to Silver Lake railroad, which was read and referred to the committee on railroads.

Mr. Morgan presented the nineteenth annual report of the Managers of the Western House of Refuge, which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Morgan offered the following resolution :

Resolved, That 1,200 copies of the annual report of the Managers of the Western House of Refuge, be printed for the use of the Institution.

Ordered, That said resolution be referred to the committee on public printing.

The President presented a communication from the Commissioners of Public Charities and Corrections in the city of New York, in reply to a

resolution of the Senate adopted on the 7th instant, which was laid on the table and ordered printed.

(See Doc. No. 6.)

Also the annual report of the State Treasurer, for the fiscal year ending September 30th, 1868, which was laid on the table and ordered printed.

(See Doc. No. 7.)

Also the special report of committee on Texas Cattle Plague, which was laid on the table and ordered printed.

(See Doc. No. 9.)

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to constitute the town of Southampton and part of the town of East Hampton, in the county of Suffolk, a separate district, and to authorize said district to levy a tax for railroad purposes.

Also a bill to incorporate the Phœnix Hook and Ladder Company of Greenport, Suffolk county.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the New York City Crosstown Railroad Company.

Mr. Bradley gave notice that he would, at an early day, ask leave to introduce a bill to provide for the extension of Madison avenue, southwardly to Broadway, in the city of New York.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill to authorize the construction of certain railroads in the city and county of New York, and to cross the Harlem river.

Also a bill to enlarge the jurisdiction of the Court of Sessions in and for the county of Westchester.

Mr. Mattoon gave notice that he would, at an early day, ask leave to introduce a bill to use a portion of the appropriation of 1868, for the support of the Normal School at Oswego, for the purchase of apparatus.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to construct a Surface Broadway railroad, in Broadway and other streets in the city of New York.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the New York and Erie railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act in relation to bridges over the Croton river, in the county of Westchester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act authorizing the city of Lockport to raise money for purchasing a hose carriage and fireman's badges," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols offered the following resolution:

Resolved, That a respectful message be sent to the Honorable the Assembly, asking that they transmit to the Senate the papers on file in reference to the construction of a bridge across the Erie canal, at the foot of Georgia street, in Buffalo, and that said papers, when received, be referred to the committee on canals.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to incorporate the Central Savings bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Kennedy presented a resolution of the board of supervisors of Onondaga county, asking for repeal of the Boiler Inspection Law, which was read and referred to the committee on manufactures.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to provide for the rebuilding of the free bridge over the Hudson river, between the towns of Fort Edward in the county of Washington, and Moreau, in the county of Saratoga, where the present bridge is now located," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The President presented the twenty-fourth annual report of the New York Prison Association, which was laid on the table and ordered printed.

(See Doc. No. 10.)

Mr. Cauldwell offered the following resolution:

Resolved, That there be printed of the annual report of the New York Prison Association 1,500 copies for the use of the Association (250 of which shall be bound in cloth), and five copies for each member, officer and reporter of the Legislature.

By unanimous consent the rule was suspended, and said resolution was considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Banks gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 279 of the Laws of 1868, entitled "An act to incorporate the Public Exchange."

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to amend an act in relation to taxes and assessments in the city of New York.

On motion of Mr. Cauldwell, the Senate adjourned.

THURSDAY, JANUARY 14, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boardman.

The journal of yesterday was read and approved.

Mr. Murphy presented a petition of P. Guignon and others, for an act to incorporate the American and Foreign Commercial Company, which was read and referred to the committee on commerce and navigation.

Mr. Edwards presented a petition of property holders of the towns of East Hampton and Southampton, Suffolk county, for authority to raise money by tax for railroad purposes, which was read and referred to the committee on railroads.

Mr. Pierce presented a petition of citizens of Brooklyn, for extension of Prospect park, which was read and referred to the committee on municipal affairs.

Mr. Hale presented four petitions of citizens of Clinton county, for State aid to Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Parker presented three petitions of citizens of Franklin county, upon the same subject, which were read and referred to the committee on finance.

Mr. Nicks presented a petition of John Benedict and others, to set off a portion of the town of Chemung, Chemung county, and annex it to the town of Ashland, which was read and referred to the committee on erection and division of towns and counties.

Mr. Kennedy presented a resolution of the board of supervisors of Cortland county, asking for a repeal of the militia law, which was read and referred to the committee on militia and public defence.

Also a resolution of the common council of the city of Syracuse, asking for the organization of a non-partizan police in said city, which was read and referred to the committee on municipal affairs.

Mr. Murphy presented a memorial for the incorporation of the Baptist Home of Brooklyn, New York, which was read and referred to the committee on charitable and religious societies.

Mr. Palmer presented resolutions of the board of supervisors of Dutchess county, asking for a revision of all acts in relation to the New York State National Guard; Also, for an increase of salary of the board of supervisors of Dutchess county; Also, for an act to change the expenses of the support of vagrant poor from the respective towns to county, which were read and referred to the committee on militia and public defence.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the Methodist Episcopal Church of Jacksonville, Tompkins county, to sell certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act incorporating 'The American Baptist Missionary Union,'" which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on charitable and religious societies.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Erie Steam Towing Company.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act providing for the erection of a town hall in the town of Morrisania, Westchester county," passed April 13, 1868.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York," passed May 6th, 1868.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to amend the act to authorize the construction of a railroad in Avenue C, and other streets in the city of New York."

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to frauds and assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the board of education to establish the rates of tuition and collect the same for the academical department of the Union School, in school district No. 10, of the town of Warsaw, in the county of Wyoming,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to enlarge the jurisdiction of the Court of Sessions in and for the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to enable the local board of the Oswego Normal and Training School to apply unexpended appropriations to the purchase of apparatus," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Beach	Folger	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Williams
Crowley	Hubbard	Murphy		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to repeal title 19, article 1, chapter 20, part 1, second Revised Statutes, entitled 'Regulations Concerning Brokers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the Devoe and Pratt Manufacturing Company to change its name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize certain towns in the counties of Otsego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Stanford offered the following resolution:

Resolved, That George Wakeman be appointed Stenographer of the Senate, in place of Edward F. Underhill, resigned.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Thayer
Beach	Edwards	Hubbard	Palmer	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams
Chapman				

21

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Murphy	Nicks
Crowley	Humphrey			

7

On motion of Mr. Beach, the Senate adjourned.

FRIDAY, JANUARY 15, 1869.

The Senate met pursuant to adjournment:

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Caldwell presented a memorial of the New York City Underground Railway Company, which was read and referred to the committee on railroads.

Mr. Campbell, from the committee on railroads, to which was referred the resolutions passed by the Senate, January 6, 1869, directing an investigation of the facts and circumstances connected with an alleged increase of the capital stock of the Hudson River Railroad Company, the New York Central Railroad Company, and the Erie Railway Company, beg leave to report:

That they have commenced their labors and partially examined as a witness one of the directors of the Erie Railway Company. That upon such examination, a question was put to the witness relative to the application or disposition that had been made by the directors of said company of the proceeds of a large amount of additional stock issued by said board; which question the witness, under the advice of his counsel, declined to answer (unless instructed so to do by the committee,) for the alleged reason that the question was beyond the scope of the investigation directed by the resolution of the Senate.

That your committee being in doubt as to whether or not it was the design of the Senate that your committee should pursue their investigation in the direction indicated by said question, do respectfully present this partial report to the Senate, and ask for instructions upon that point.

SAM'L CAMPBELL, *Chairman*.

Mr. O'Donnell moved to amend the original resolution authorizing the investigation, as follows:

After the word "stock" insert the words "or bonds or any matters relating to the sale and disposition of the proceeds thereof."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Van Petten	
Beach	Genet	Mattoon	O'Donnell	Williams	
Creamer	Graham	Murphy	Thayer		14

FOR THE NEGATIVE.

Bradley	Crowley	Hubbard	Nicks	Stanford	
Caldwell	Folger	Humphrey	Pierce	Tweed	
Chapman	Hale				12

When the names of Messrs. Campbell, Morgan and Parker were severally called, they were excused from voting.

Mr. Folger moved to further amend said resolution, by adding thereto as follows:

"And that the committee be instructed to inquire if any director or directors of said companies, or either of them, have before or about the time of the issuing of said stock or bonds, had dealings in the stock of said companies or either of them, and with what result."

Mr. Williams moved to lay the whole subject upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Nicks	Tweed	
Cauldwell	Crowley	Hubbard	Pierce	Williams	
Chapman	Folger	Humphrey	Stanford		14

FOR THE NEGATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer	
Beach	Graham	Murphy	Palmer	Van Petten	
Edwards	Kennedy	Nichols			13

When the names of Messrs. Campbell, Morgan and Parker were severally called, they were excused from voting.

The Assembly sent for concurrence the bills entitled as follows:

"An act to change the corporate name of the First Congregational Society of the town of Pike, Allegany county, New York, to 'The First Presbyterian Society of the town of Pike, Wyoming county, New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to legalize the action of the town meeting of the town of Palmyra, Wayne county, held on the third day of March, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the adoption of an academical department in the Union School district of the village of Owego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the trustees of the First Presbyterian Church and Society of the town of Perry, to convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act authorizing the city of Lockport to raise money for purchasing a hose carriage and firemen's badges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the assessment of the town of Clifton, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the building of a new bridge in the town of Rathbone, in the county of Steuben, and directing the levy of a tax to pay for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 717 of the Laws of 1868, entitled 'An act making appropriations for certain expenses of Government, and for sup-

plying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to enable the local board of the Oswego Normal and Training School to apply unexpended appropriations to the purchase of apparatus."

Mr. Murphy gave notice that he would, at an early day, ask leave to introduce a bill to provide for the completion and preservation of the structures now being erected on West Bank in the lower bay of New York, for quarantine purposes.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to provide for the rebuilding of Washington market, in the city of New York.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 195 of the Laws of 1846, entitled "An act to authorize the New York and New Haven Railroad Company to extend their road," passed May 11, 1846.

Also a bill to amend an act entitled "An act for the laying out, opening and closing of streets, roads and avenues, in the town of Morrisania, in the county of Westchester," passed May 19, 1868.

Mr. Kennedy gave notice that he would, at an early day, ask leave to introduce a bill to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to regulate the fare for passengers on railroads.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate the Erie Steam Towing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Fulton Market Fish Mongers' Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the towns of Yonkers and East Chester, in the county of Westchester, to widen, make, extend and improve several highways in said towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the construction of certain railroads in the city and county of New York, and across the Harlem river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act providing for the erection of a town hall in the town of Morrisania, Westchester county,' passed April 13, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Nichols asked and obtained leave

to introduce a bill entitled "An act to authorize the construction of an iron bridge, with abutments and suitable approaches over the Ohio basin slip, at Fulton street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to authorize the construction of an iron bridge, with abutments and suitable approaches over the Erie canal, at Georgia street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act for the relief of Hiram Weeks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act for the settlement of the adjudicated awards certified to be due to the militia of the State of New York who served in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Folger offered the following resolution:

Resolved, That on Tuesday, January 19th, at 12 o'clock, M., the Senate will proceed to vote for a Senator in Congress in place of Hon. Edwin D. Morgan, whose term of office will expire on the 4th day of March next.

Mr. Folger moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

Resolved, (if the Assembly concur,) That on Tuesday, January 19th, at 1 o'clock, P. M., the members of the Senate and Assembly will meet in joint-assembly in the Assembly chamber, to compare nominations for the office of United States Senator in place of Hon. Edwin D. Morgan, whose term of office will expire on the 4th day of March next.

Ordered, That said resolution be laid on the table.

Mr. Beach moved to take from the table the report of the committee on railroads, made pursuant to a resolution of the Senate, directing an investigation of the affairs of the New York Central, Hudson River, and Erie railroads; also, the amendment offered by Mr. Folger.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Van Petten
Beach	Graham	Murphy	Palmer	Williams
Edwards	Kennedy	Nichols	Thayer	

FOR THE NEGATIVE.

Bradley	Creamer	Hale	Nicks	Stanford	
Cauldwell	Crowley	Hubbard	Pierce	Tweed	
Chapman	Folger	Humphrey			13

Mr. Williams moved to lay the report of the committee, and the proposed amendment of Mr. Folger to the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Nicks	Tweed	
Cauldwell	Crowley	Hubbard	Pierce	Williams	
Chapman	Folger	Humphrey	Stanford		14

FOR THE NEGATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer	
Beach	Graham	Murphy	Palmer	Van Petten	
Edwards	Kennedy	Nichols			13

When the names of Messrs Campbell and Morgan were called, they were excused from voting.

Mr. Tweed offered the following resolution:

Resolved, That 500 copies of the annual report of the Commissioners of Charities and Correction of the city of New York, be printed for the use of said Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Nichols offered the following resolution:

Resolved, That the Clerk be and he is hereby directed to purchase for the Senate library, a copy of the United States Statutes at large.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nichols offered the following resolution:

Resolved, That 100 extra copies of the annual report to the Governor of the Niagara Frontier Police Commissioners, be printed for the use of said Board of Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

In pursuance of previous notice, Mr. Folger offered the following resolution:

Resolved, That rule No. 48 of the rules and orders of the Senate, be and the same is hereby amended so as to read as follows:

Rule 48. The Senate shall go into the consideration of executive business on the third Wednesday of every month that it is in session, at 12 o'clock, at noon, thereof. Any nomination sent by the Governor for the appointment of any officer (except a notary public,) shall be referred to that standing committee of the Senate, to which are usually referred the subjects to which the duties of such officer appertain. And no nomination shall be further considered by the Senate, until after the report thereon of a majority of the standing committee to which it was referred. And the consent of the Senate, to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business shall not be transmitted to the Governor until the next day thereafter, for the transaction of such business.

Nominations of persons for the office of notary public shall be referred to the Senator from the district in which the nominee resides, except that

when the nominee resides in the city and county of New York, the reference shall be to the Senators from that city and county, and when the nominee resides in the county of Kings, the reference shall be to the Senators from that county.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce
Beach	Creamer	Graham	Nichols	Tweed
Bradley	Edwards	Hubbard		

13

Mr. Folger offered the following resolution:

Resolved, That the rules and orders of the Senate as last year adopted and used, as now amended, be and they are hereby adopted as the rules and orders of the Senate for the present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

FOR THE NEGATIVE.

Banks	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Genet			

12

Mr. Folger offered the following resolution:

Resolved, That the committee on commerce and navigation hereafter consist of five members, and that Messrs. Mattoon and Thayer be, and they are hereby appointed the additional members thereof.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer
Chapman	Kennedy	Nicks	Parker	Van Petten
Crowley	Mattoon	O'Donnell	Stanford	Williams
Folger				

16

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Hubbard	Nichols
Beach	Creamer	Graham	Murphy	Tweed
Bradley	Edwards			

12

When the name of Mr. Pierce was called, he was excused from voting.

Mr. Parker asked to be excused from serving upon the committee on insurance.

Mr. Bradley also asked to be excused from serving upon the committee on insurance.

Mr. Kennedy moved that said resignations be accepted.

Mr. Parker offered the following resolution :

Resolved, That Geo. F. Truell be and is hereby appointed Messenger to the Postmaster of the Senate, for the present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan offered the following resolution :

Resolved, That John W. Hannan be and is hereby appointed Messenger to the Sergeant-at-Arms of the Senate, for the present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolution :

Resolved, That Moses R. Gage be and is hereby appointed Janitor of the Senate, for the present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley offered the following resolution :

Resolved, That Nathaniel Goodwin be and he is hereby appointed Keeper of the Senate Chamber, for the present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley moved that the committee on finance be discharged from the further consideration of the Assembly bill entitled "An act to amend chapter 717 of the Laws of 1868, entitled 'An act making appropriations for certain expenses of Government, and for supplying deficiencies in former appropriations,' " and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Crowley and by unanimous consent, the Senate resolved itself into a committee of the whole upon said entitled bill.

After some time spent therein the President resumed the chair, and Mr. Folger, from said committee, reported in favor of the passage of the same with an amendment.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Palmer	Thayer
Beach	Edwards	Kennedy	Parker	Tweed
Campbell	Genet	Mattoon	Pierce	Van Petten
Chapman	Graham	Morgan	Stanford	Williams
Creamer	Hubbard	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

On motion of Mr. Tweed, the Senate adjourned until Monday evening, at 7½ o'clock.

MONDAY, JANUARY 18, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Friday, January 15, was read and approved.

Mr. Hale presented five petitions of citizens of Essex county, for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Thayer presented a petition of citizens of the county of Washington, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Chapman presented a petition of citizens of Binghamton, for amendment to act to supply said city with water, which was read and referred to the committee on municipal affairs.

Mr. Van Petten presented a memorial of John F. Hosch, for relief, which was read and referred to the committee on claims.

Mr. Nichols presented resolutions of the board of trade of Buffalo, for act to abolish the contract system of keeping canals in repair, and for reform in management of canals, which were read and referred to the committee on canals.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the building of a new bridge in the town of Rathbone, in the county of Steuben, and directing the levy of a tax to pay for the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the adoption of an academical department in the Union School district of the village of Owego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to legalize and confirm the acts of Selah Field, Alfred Bailey and Reuben W. Kirkham, commissioners of highways in and for the town of South East, county of Putnam, in the construction of a bridge in the highway running from Jesse Haviland's to Drewville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the purchase of a steam fire engine in the village of Palmyra, and for the more effectual protection of said village against fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

A message was received from the Assembly, in the words following:

IN ASSEMBLY, *January 18, 1869.*

Resolved, That a respectful message be transmitted to the honorable the Senate requesting the return to this House of the papers on file relative to the claim of Gerrit Smith, Jonathan D. Ledyard, and the legal

representatives of Hamilton Murray, deceased, and that they be referred, when so returned, to the committee on claims.

By order.

E. F. UNDERHILL, *Clerk.*

Ordered, That the Clerk transmit said papers to the Assembly.

The Assembly returned the Assembly bill entitled "An act to amend chapter 717 of the Laws of 1868, entitled 'An act making appropriations for certain expenses of Government, and for supplying deficiencies in former appropriations,'" with a message that they had concurred in the amendment made thereto by the Senate.

Ordered, That the Clerk return said bill to the Assembly if found.

The Assembly returned the bill entitled "An act to enable the local board of Oswego Normal and Training School to apply unexpended appropriations to the purchase of apparatus," with a message that they had concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Nichols gave notice that he would, at an early day, ask leave to introduce a resolution that a standing committee of the Senate, consisting of three members, be appointed "on trade, commerce and navigation."

Mr. Nicks gave notice that he would, at an early day, ask leave to introduce a bill to authorize the Canal Commissioners to repair and maintain the present farm bridge across the Chemung canal feeder on the lands of Stephen T. Owen in the town of Big Flats, Chemung county.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the village of Whitestone, Queens county.

Also a bill to amend an act entitled "An act to incorporate the village of College Point in Queens county."

Mr. Hubbard gave notice that he would, at an early day, ask leave to introduce a bill to authorize the construction of a swing bridge across the Chenango canal at Sherburne.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county.

Also a bill to amend an act entitled "An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," passed March 31, 1868.

Mr. Nichols gave notice that he would, at an early day, ask leave to offer a resolution altering the 48th standing rule of the Senate, so that the same shall read as follows:

Rule 48. The Senate shall go into the consideration of executive business on Wednesday of each week, when in session, at 12 o'clock, noon. All nominations for the appointment of any officer shall be referred to the Senator from the Senatorial district within which the nominee resides, unless otherwise ordered; and all nominations of officers residing in New York shall be referred to the Senators from that city; and all nominations of officers residing in Kings county shall be referred to the Senators from that county, unless otherwise ordered; and a future day for the consideration of all nominations shall be assigned, and the consent of the Senate to the appointment of any officer, shall not be transmitted in less than one week thereafter without the unanimous consent of the Senate; and while any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill, entitled "An act to amend an act entitled 'An act to enable

husband and wife, or either of them, to be a witness for or against the other, or on behalf of any party in certain cases,' passed May 10, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act authorizing the savings banks in the city of Buffalo, to invest portions of their accumulations or profits in the purchase of the first mortgage bonds of the Buffalo and Washington Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to encourage and aid in the construction of railroads in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Chapman moved that the committee on municipal affairs be discharged from the further consideration of the petition of citizens of Binghamton for amendment of act to supply said city with water, and that the same be referred to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Van Petten, asked and obtained leave to introduce a bill entitled "An act for the relief of John F. Hosch, assignee of Samuel F. Case," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester,' passed May 19th, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to provide for the assessment and collection of taxes upon corporations, joint stock associations, express, telegraph and navigation companies, at the Comptroller's office, Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19th, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the

benefit of married women in insuring the lives of their husbands,' passed April 14, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Folger offered the following resolution:

Resolved, That the papers on file relative to the claim of Eli A. Bronson, and the claim of John Edwards, be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger moved to take from the table the resolution, in the words following:

Resolved, That on Tuesday, January 19th, at 12 o'clock, noon, the Senate will proceed to vote for a Senator in Congress in place of Hon. Edwin D. Morgan, whose term of office will expire on the 4th day of March next.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Nichols moved to amend said resolution by striking out "19th" and inserting "26th."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Edwards	Hubbard	Nichols	
Beach	Cauldwell	Graham	Morris		9

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Parker	Van Petten	
Crowley	Humphrey	Nicks	Thayer	Williams	
Folger	Kennedy	Palmer			13

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger called for the consideration of the concurrent resolution, in the words following:

Resolved, (if the Assembly concur,) That on Tuesday, January 19th, at 1 o'clock, P. M., the members of the Senate and Assembly will meet in the Assembly chamber to compare nominations for the office of United States Senator, in place of Hon. Edwin D. Morgan, whose term of office will expire on the 4th day of March next.

Mr. Folger moved to amend said resolution by striking out "Tuesday 19th, 1 P. M.," and inserting "Wednesday 20th, at 12 M."

Mr. Nichols moved to amend the amendment by striking out "20th," and inserting "27th."

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Edwards	Hubbard	Nichols	
Beach	Cauldwell	Graham	Morris		9

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Parker	Van Petten	
Crowley	Humphrey	Nicks	Thayer	Williams	
Folger	Kennedy	Palmer			13

Mr. Morris moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Folger to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Nicks offered the following resolution :

Resolved, That the committee on roads and bridges be authorized to employ a clerk.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

TUESDAY, JANUARY 19, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mundy.

The journal of yesterday was read and approved.

Mr. Van Patten presented a petition of E. Remington and other citizens of Ilion, for an appropriation for a bridge over the canal, which was read and referred to the committee on canals.

Mr. Chapman presented a memorial of supervisors of Broome county, asking that the fees of surrogates be re-established, which was read and referred to the committee on the judiciary.

Mr. Kennedy presented resolutions of supervisors of Onondaga county, relative to female convicts in the 5th and 6th judicial districts, which were read and referred to the committee on the judiciary.

Mr. Hale presented five petitions of citizens of Clinton and Essex counties, for state aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Folger presented a petition of citizens of Steuben county, for an increase of the compensation of judges of the Supreme Court and Court of Appeals, which was read and referred to the committee on the judiciary.

Also a petition of citizens of Manchester, Ontario county, for a removal of Genesee college to Syracuse, which was read and referred to the committee on literature.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,'" reported in favor of the passage of the same.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the city of Lock-

port to raise money for purchasing a hose carriage and firemen's badges," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented the report of the Trustees of the New York Asylum for Idiots; which was laid on the table and ordered printed.

(See *Doc. No. 14.*)

Mr. Hale gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the village of Port Henry.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to authorize the Manhattan Company to construct railways underground in the city of New York.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Yorkville Savings Bank.

Mr. Chapman gave notice that he would, at an early day, ask leave to introduce a bill to amend the Code of Procedure.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate the village of Whitestone, in Queens county," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to extend the term of service of the supervisors of Monroe county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to reduce the number of trustees of the Fulton Manufacturing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Guardian Savings Institution of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to encourage and protect endowments for public charitable, literary and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms,' passed March 31, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Greenburgh

Savings Bank, in the town of Greenburgh, Westchester courtty," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend the charter of the East India Telegraph Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Randolph, Cattaraugus county,' passed May 21, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Commissioners to repair and maintain the present farm bridge across the Chemung canal feeder, on the lands of Stephen T. Owen, in the town of Big Flats, Chemung county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary," which was read the first time, and by unanimous consent was also read the second time.

Mr. Humphrey moved to refer said bill to the committee on the judiciary.

Mr. Kennedy moved to amend that the bill be referred to the committee on literature.

The President put the question whether the Senate would agree to said motion of Mr. Kennedy, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize certain towns in the counties of Oneida, Madison and Chenango, to issue bonds and take stock in any company now organized, or that may hereafter be organized, within two years after the passage of this act, for the purpose of building a railroad from Utica through Clinton, Oneida county, to Sherburne,' which was read the first time, and by unanimous consent was also read the second time.

Mr. Kennedy moved to refer said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bills entitled as follows:

"An act to authorize the adoption of an academical department in the Union School district of the village of Owego."

"An act to authorize the building of a new bridge in the town of Rathbone, in the county of Steuben, and directing the levy of a tax to pay for the same."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of said

bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to improve the navigation of the Rondout creek.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to increase the salary of judges of the Court of Appeals and of the justices of the Supreme Court.

The Assembly sent for concurrence the bills entitled as follows:

"An act to extend the time for certain towns in the counties of Ulster, Delaware, Greene and Schoharie, to issue bonds and take stock in the Rondout and Oswego railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 1, chapter 404 of Laws of 1868, relative to building a bridge at Fort Covington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to legalize the official acts of Lyman W. Thompson, a justice of the peace of the town of Cherry Valley, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the city of Lookport,' passed April 11, 1865, and the act amendatory thereto, passed May 11, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 561, Laws of 1868, entitled 'An act to enable the electors of the town of Hamilton, in the county of Madison, the town of Vienna, Oneida county, and the town of Clifton Park, Saratoga county, to vote by districts for town officers,' passed May 4, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The President announced the following appointments:

President's Messenger, L. C. Holmes; Pages, first half, R. W. Ashley, John Bartley, Jeremiah Murphy, George Cadwell, James McCabe, — Stafford; second half, A. Kilmartin, Edward McShane, Fred. Schmidt, Eugene Wood, Peter Coelen, Wm. Roat.

The Clerk announced the following appointment:

Librarian's Messenger, Christopher Van Valkenburgh.

The hour of 12 o'clock having arrived, the President announced that pursuant to the statutes of the United States made and provided, and agreeably to a resolution of the Senate heretofore adopted, the Senate would proceed to nominate a Senator to represent this State in the Senate of the United States, in the place of Hon. Edwin D. Morgan, whose term of office will expire on the 4th day of March next; when each Senator as his name was called by the Clerk, rose in his place and nominated as follows:

FOR REUBEN E. FENTON.

Campbell
Chapman
Crowley

Folger
Humphrey
Kennedy

Mattoon
Morgan
Nicks

O'Donnell
Palmer
Parker

Thayer
Van Petten
Williams

FOR HENRY C. MURPHY.

Banks	Edwards	Graham	Morris	Pierce	
Beach	Genet	Hubbard	Nichols	Tweed	10

FOR HENRY S. RANDALL.

Murphy	1
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A quorum having voted, and a majority having named Reuben E. Fenton as their choice, the President announced that Reuben E. Fenton had been nominated on the part of the Senate for Senator to represent this State for six years from the 4th day of March next, to fill the vacancy which will occur on that day by the expiration of the term of service of Edwin D. Morgan.

On motion of Mr. Nichols, the Senate adjourned.

WEDNESDAY, JANUARY 20, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dyer.

The journal of yesterday was read and approved.

Mr. Williams presented a memorial of the town board of Palmyra, in regard to claim of Conway P. Clarke, which was read and referred to the committee on the judiciary.

Mr. Chapman presented a memorial of supervisors of Broome county, for the passage of an act increasing pay of supervisors of said county, which was read and referred to the committee on the judiciary.

Mr. Folger presented a petition of the board of education of Union district No. 1, town of Seneca, Ontario county, asking a law legalizing its acts, and authorizing the district to raise money by tax to rebuild school house destroyed by fire, which was read and referred to the committee on the judiciary.

Mr. Palmer presented a petition for the repeal of chapter 489 of Laws of 1867, and chapter 855 of Laws of 1868, relative to charter of Erie railroad, which was read and referred to the committee on railroads.

Mr. Hale presented six petitions of citizens of Essex county, for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the petition of P. Guignon and others, for an act incorporating the American and Foreign Commercial Company, reported by bill entitled "An act to incorporate the American and Foreign Commercial Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and supplementary thereto," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Comptroller, reported in favor of the adoption of the following resolution :

Resolved, That there be printed of the annual report of the Comptroller, 1,500 copies for the use of the Senate, and 500 copies for the use of the Comptroller.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the message of the Governor, reported in favor of the adoption of the following resolution :

Resolved, That there be printed of the annual message of the Governor, 500 copies for the use of the Senate, and 500 copies for the use of the Executive Department.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows :

"An act to release to Catharine Smith and her assigns, the interest of the people of the State of New York in certain lands of which John Smith died seised," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 561 of the Laws of 1868, entitled 'An act to enable the electors of the town of Hamilton, in the county of Madison, the town of Vienna, Oneida county, and of the town of Clifton Park, Saratoga county, to vote by districts for town officers,' passed May 4th, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the members of the Genesee Annual Conference,' passed April 13, 1819," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to authorize the Devos and Pratt Manufacturing Company to change its name," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the concurrent resolution relative to election of United States Senator, with a message that they had concurred in the passage of the same without amendment.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to authorize the consolidation of the Flushing and Northside railroad, the Flushing and Woodside railroad, and the New York and Flushing railroad, into one company.

Mr. Chapman gave notice that he would, at an early day, ask leave to introduce a bill relating to the county prison of the county of Broome, and the prisoners that shall be confined therein for crime.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend section 426 of an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of

the courts of this State, known as the 'Code of Procedure,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to afford relief against frauds and irregularities in assessments for local improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to increase the salaries of the judges of the Court of Appeals, and of the justices of the Supreme Court hereafter to be elected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the charter of the People's Life Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the employment of a stenographer for the county court, and court of sessions, of the county of Broome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to provide for the submission to the people of the amended Constitution, for an election of judges thereunder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the New York Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion and preservation of structures now being erected on West Bank in the lower bay of New York, for quarantine purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Fifth Avenue Savings

Bank of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to provide for the improvement of of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly bill entitled "An act authorizing the building of a new bridge in the town of Rathbone, in the county of Steuben, and directing the levy of a tax to pay for the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Thayer
Beach	Folger	Humphrey	Murphy	Tweed
Campbell	Genet	Kennedy	Nicks	Van Petten
Chyprman	Graham	Mattoon	Parker	Williams
Crowley	Hale			

22

FOR THE NEGATIVE.

Nichols

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the adoption of an academical department in the Union School district of the village of Owego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morgan	Parker
Campbell	Genet	Humphrey	Morris	Thayer
Chapman	Graham	Kennedy	Nichols	Van Petten
Edwards	Hale	Mattoon	Nicks	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols offered the following resolution:

Resolved, That Meyer Stark be and he is hereby appointed assistant keeper of the Senate chamber.

Mr. Folger moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer
Chapman	Hale	Nicks	Parker	Van Petten
Crowley	Humphrey			

12

FOR THE NEGATIVE.

Banks	Edwards	Graham	Morris	Nichols
Beach	Genet	Hubbard	Murphy	

Mr. Murphy offered the following resolution :

Resolved, That the hour of meeting of the executive session fixed for this day, be postponed until the adjournment of the joint meeting of the two Houses.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan offered the following resolution :

Resolved, That the debates of the Senate, reduced by the Stenographer to a form which embodies and preserves the substance thereof, be published in the form of a permanent record ; the same to be published under the direction of the Clerk of the Senate.

Mr. Morgan moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bills entitled as follows :

"An act to amend chapter 561 of the Laws of 1838, entitled 'An act to enable the electors of the town of Hamilton, in the county of Madison, the town of Vienna, Oneida county, and of the town of Clifton Park, Saratoga county, to vote by districts for town officers,' passed May 4, 1868."

"An act authorizing the city of Lockport to raise money for purchasing a hose carriage and firemen's badges.

After some time spent therein, the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Genet gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the United States Railroad Conductors' Life Insurance Company.

Messrs. La Bau and Miller, a committee from the Assembly, appeared in the Senate and announced that the Assembly were ready to meet the Senate in joint-assembly for the purpose of comparing nominations for the office of United States Senator.

The President accordingly left the chair and with the Senate proceeded to the Assembly chamber, and on comparing nominations for Senator in Congress to supply the vacancy which will be occasioned by the expiration of the term of service of Hon. Edwin D. Morgan, on the 4th day of March next, they were found to agree in the name of Reuben E. Fenton.

Thereupon the President announced and declared Reuben E. Fenton of Chautauqua county, duly elected Senator in Congress from the State of New York for six years, from the 4th day of March next, in place of Hon. Edwin D. Morgan, whose term of office will then expire.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings as having taken place.

The Senate then went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

By unanimous consent, Mr. Folger moved that the Senate hold an executive session to-morrow, and also on Friday, at the usual hour, for the purpose of receiving and acting upon nominations of the Governor, for notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Graham, the Senate adjourned.

THURSDAY, JANUARY 21, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Baldwin of Troy.

The journal of yesterday was read and approved.

Mr. Chapman presented a memorial of supervisors of Broome county, asking for an act authorizing the employment of prisoners confined in the county jail in said county, which was read and referred to the committee on the judiciary.

Mr. Palmer presented a petition from the board of supervisors of the county of Columbia, requesting the repeal of that part of the militia law which requires a commutation tax of one dollar to be paid, which was read and referred to the committee on militia and public defence.

Also a petition of the board of supervisors of the county of Columbia, requesting the repeal of the law which requires the publication of the session laws in two papers printed in said county, which was read and referred to the committee on the judiciary.

Also a petition for the passage of an act amending the charter of the Bowery Savings Bank, which was read and referred to the committee on banks.

Also a petition of the board of supervisors of Columbia county, in the matter of the location of surrogate's office in Columbia county, and other counties in this State, which was read and referred to the committee on the judiciary.

Mr. Nichols presented a petition of citizens of Erie county, for aid for the Buffalo and Washington railway, which was read and referred to the committee on finance.

Mr. Chapman presented a memorial of supervisors of Broome county, asking the passage of an act to allow the county judge of Broome county to appoint a stenographer for the county court and court of sessions of said county, which was read and referred to the committee on the judiciary.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Joseph Randnitzky for an act to authorize him to change his name to Joseph S. Rown, reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of Joseph Gutman, jr., as

notary public," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act to incorporate the East India Telegraph Company," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act to incorporate the East India Telegraph Company, passed April 25, 1864," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the New York Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn,' passed April 16, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of James Johnston as justice of the peace in Lewis county, and to continue him in office for the term for which he was elected," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and supplementary thereto."

The President presented a communication from the Canal Commissioners, in reply to a resolution of the Senate adopted on the 5th inst., in relation to wharves and docks in Buffalo, which was laid on the table and ordered printed.

(See Doc. No. 15.)

Also the 21st annual report of the Inspectors of State Prisons, which was laid on the table and ordered printed.

(See Doc. No. 36.)

Mr. Norton gave notice that he would, at an early day, ask leave to introduce a bill to widen West street, in the city of New York.

Also a bill to provide for lighting with gas the main roads and drives in Central park, in the city of New York.

Also a bill to allow the captains of police in the Metropolitan Police district, to take bail in certain cases.

Also a bill to regulate the sale and standard of kerosene oil.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to authorize the Flushing and Northside Railroad Company to purchase stock of the Flushing and Woodside Railroad Company, and to purchase a part of the New York and Flushing railroad, and to consolidate them into one corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of

a railroad commissioner for the town of Skaneateles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act relating to the county prison of the county of Broome, the common jail of the county of Broome, and the prisoners that shall be confined therein for crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of persons convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary at Syracuse, of persons convicted of crime in the county of Broome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act to incorporate the Bowery Savings Bank, passed May 1, 1884," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend title 12, chapter 20, part 1 of the Revised Statutes of the State of New York, entitled 'Of wrecks,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act vesting in John T. Conover, administrator with the will annexed of Gustavus A. Conover, deceased, all the powers and duties of executor and trustee under such will," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of Edward Todd and his assigns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to the Eastside Railway Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and supplementary thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Norton
Beach	Edwards	Humphrey	Murphy	Palmer

Campbell	Folger	Kennedy	Nichols	Thayer	
Chapman	Graham	Morgan	Nicks	Tweed	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the city of Lockport to raise money for purchasing a hose carriage and firemen's badges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Norton	
Beach	Edwards	Humphrey	Murphy	Palmer	
Campbell	Folger	Kennedy	Nichols	Thayer	
Chapman	Graham	Morgan	Nicks	Tweed	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 561 of the Laws of 1868, entitled 'An act to enable the electors of the town of Hamilton, in the county of Madison, the town of Vienna, Oneida county, and of the town of Clifton Park, Saratoga county, to vote by districts for town officers,' passed May 4, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Norton	
Beach	Edwards	Humphrey	Murphy	Palmer	
Campbell	Folger	Kennedy	Nichols	Thayer	
Chapman	Graham	Morgan	Nicks	Tweed	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Kennedy offered the following resolution:

Resolved, That 1,000 copies of the annual report of the Inspectors of State Prisons be printed for the use of the Senate, and 1,500 copies for the use of the Inspectors of State Prisons, to be bound.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Nichols offered the following resolution:

Resolved, That 250 extra copies of the report of the Canal Commissioners on the subject of docks, &c., in the Erie basin at Buffalo, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Morgan offered the following resolution:

Resolved, That the Secretary of State be requested to submit to the Senate, during the present session, the draft of law selecting certain

classes of officers now elected by the people, and such other persons holding positions in banks and other corporations, as may seem advisable, to act ex-officio as notaries public, and devolving upon them the powers and duties of notaries, and also repealing existing laws for the appointment of notaries.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Banks, the Senate adjourned.

FRIDAY, JANUARY 22, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Tweed presented seven petitions of citizens of New York, for repeal of chapter 489 of Laws of 1867, and chapter 855 of Laws of 1868, relative to charter of elevated railway, which was read and referred to the committee on railroads.

Mr. Humphrey presented a memorial of citizens of the village of Wells-ville, in relation to auction sales in said village, which was read and referred to the committee on municipal affairs.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act for drainage of lands in Richmond county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the official acts of Lyman W. Thompson, a justice of the peace in the town of Cherry Valley, Otsego county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 3 of an act entitled 'An act to amend an act for the incorporation of villages,' passed December 7, 1847, passed July 11, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Tritonen Scheutzen Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to provide for the revision, codification and amendment of the Laws of this State relating to the canals, the canal funds, and the powers and duties of the several officers employed in the administration thereof.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Yorkville Savings Bank of the city of New York," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act authorizing Lillie Safe and Iron Company to change its corporate name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Commissioner in charge of the eastern division of the State canals, and the State Engineer, to improve the Albany basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Folger offered the following resolution :

Resolved, That there be printed for the use of the Senate, 200 copies of the list of Senate and Assembly committees, in one document.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the New York Bridge Company for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn,' passed April 16, 1867."

"An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange.'"

"An act to incorporate the American and Foreign Commercial Company."

After some time spent therein the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Beach offered the following resolution :

Resolved, That when the Senate adjourns this day, it adjourn until Monday evening, at 7½ o'clock.

Mr. Nichols moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Nichols	Nicks	Thayer	
Folger	Morris				7

FOR THE NEGATIVE.

Banks	Genet	Morgan	Norton	Tweed	
Beach	Kennedy	Murphy	Palmer	Van Petten	
Chapman					11

Mr. Nichols moved to amend said resolution by striking out "Monday evening, at 7½ o'clock," and inserting in lieu thereof "to-morrow, at 11 o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Nichols	Nicks	Thayer	
Folger	Morris				7

FOR THE NEGATIVE.

Banks	Genet	Morgan	Norton	Tweed	
Beach	Kennedy	Murphy	Palmer	Van Patten	11
Chapman					

Mr. Norton gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act relative to carrying concealed weapons."

Also a bill to incorporate the Home Savings Bank of the city of New York.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened.

On motion of Mr. Genet, the Senate adjourned.

MONDAY, JANUARY 25, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Adelberg.

The journal of Friday, January 22, was read and approved.

Mr. Caldwell presented a petition of the board of supervisors of Putnam county, for the repeal of all acts for the assessment and collection of commutation taxes for the support of the militia of this State, which was read and referred to the committee on militia and public defence.

Also a memorial of the New York City Central Underground Railway Company, which was read and referred to the committee on railroads.

Mr. Hale presented a petition of the Patriot Orphan Home, for State aid, which was read and referred to the committee on finance.

Mr. Folger presented a petition of citizens of Junius, Seneca county, for an amendment or repeal of chapter 372 of the Laws of 1867, for the draining of certain lands in that town, which was read and referred to the committee on the judiciary.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to permit the Fulton Manufacturing Company to reduce the number of its trustees, and to amend the articles of association of said company for that purpose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the report of the New York State Cattle Commissioners, for 1868, which was laid on the table and ordered printed.

(See Doc. No. 9.)

Mr. Caldwell gave notice that he would, at an early day, ask leave to introduce a bill to authorize the making and opening of a road or avenue

in the town of Greenburgh, in the county of Westchester, to be known as and called Greenburgh avenue.

Also a bill fixing the time for the holding of elections for the election of trustees, town officers, and members of the board of education of the school district of the town of Morrisania, and for regulating such elections.

Also a bill to amend an act entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street in the village of Mount Vernon, and extend and change the route of said road, and confer additional powers on the commissioners under said act."

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the Avenue C Railroad Company of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act regulating and prescribing the fees of the county clerk of the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the construction and maintaining of a free bridge over the Susquehanna river, between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act in relation to school district No. 1, of the town of Seneca, Ontario county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend section 43 of article 3, title 1, chapter 6, part 11 of the Revised Statutes, relating to the right of children born after the making of a will," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to provide for the revision, codification and amendment of the Laws of this State relating to the canals, the canal funds, and the powers and duties of the several officers employed in the administration thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

Assembly, "An act to legalize the official acts of Lyman W. Thompson, a justice of the peace of the town of Cherry Valley, Otsego county."

"An act to authorize the 'Devoe and Pratt Manufacturing Company,' to change its name."

After some time spent therein the president resumed the chair, and Mr. Graham, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan offered the following resolution:

Resolved, That the Auditor of the Canal Department be requested to report to the Senate, at his earliest convenience, whether the State is under obligations to alter, repair or improve the Albany basin, or the cut into the same, and if so to suggest what is necessary and proper to be done, and the probable cost thereof; and that the Clerk of the Senate transmit to said officer a copy of the bill now before the Senate in relation thereto.

Mr. Hale moved to amend said resolution by striking out all after the words "or the cut into the same."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Chapman	Morris	Thayer	
Beach	Cauldwell	Hale	Nichols		9

FOR THE NEGATIVE.

Folger	Graham	Kennedy	Nicks	Van Petten	
Genet	Humphrey	Morgan			8

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

Resolved, (if the Assembly concur,) That the green flags in the Bureau of Military Records be loaned to the First National Sarsfield Circle, Fenian Brotherhood, for use on the occasion of its annual ball, Wednesday evening, January 27, 1869; to be returned immediately thereafter to the Bureau of Military Record.

On motion of Mr. Folger and by unanimous consent, the rules were suspended and said resolution adopted.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

On motion of Mr. Cauldwell, the Senate adjourned.

TUESDAY, JANUARY 26, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Brown.

The journal of yesterday was read and approved.

The President announced the appointment of Mr. Hubbard as member of the committee on insurance, in place of Mr. Bradley, resigned.

Mr. Nichols presented a petition of inhabitants of Erie county, to amend the charter of the Aurora and Buffalo Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. Nicks presented a petition of S. McDonald and 1,000 others of Chemung county, for a law to abolish the system of convict labor in the State prisons, workhouses, and penitentiaries of this State, which was read and referred to the committee on State prisons.

Mr. Williams presented a petition of the trustees of the village of Palmyra, to purchase a steam fire engine, and the more effectual protection of said village against fire, which was read and referred to the committee on municipal affairs.

Also a petition of citizens of the county of Cayuga, for the passage of a law increasing the salaries of the judges of the Court of Appeals, and justices of the Supreme Court, which was read and referred to the committee on the judiciary.

Mr. Mattoon presented a petition of the Cazenovia and Canastota Railroad Company, for permission to take increased fare, which was read and referred to the committee on railroads.

Mr. Nicks presented a petition of Lucien Billingham for relief, which was read and referred to the committee on claims.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to amend an act entitled 'An act to incorporate the New York Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn,' passed April 16, 1867."

"An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange.'"

"An act to incorporate the American and Foreign Commercial Company."

"An act to authorize the 'Devoe and Pratt Manufacturing Company' to change its name."

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize a free bridge over the Susquehanna river, between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the board of education to establish the rates of tuition and collect the same for the academical department of the Union School in school district No. 10 of the town of Warsaw, in the county of Wyoming,'" reported adversely thereto.

Mr. Chapman moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Graham, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Yorkville Savings Bank," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Canal Commissioners on subject of docks in Erie basin at Buffalo, reported in favor of the adoption of the following resolution :

Resolved, That 250 copies of the report of the Canal Commissioners on the subject of docks in the Erie basin at Buffalo, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the following resolution :

IN ASSEMBLY, *January 25, 1869.*

Whereas, The interests, prosperity and future greatness of the city of New York demand that every approach by water to its harbors and docks should be made safe and navigable to the commerce of the world ; and whereas, all the citizens of the Empire State have an equal interest in the early accomplishment of this object ;

Resolved, (if the Senate concur,) That our Representatives in Congress be requested to aid by their influence in obtaining such appropriation from the National Government as may be necessary to wholly remove the obstruction to commerce from what is known as "Hell Gate" channel.

Resolved, That the Clerk of this House be directed to send a copy of this resolution to each Senator and Representative from this State in the United States Congress.

By order.

EDWARD F. UNDERHILL, *Clerk.*

Ordered, That said resolution be laid on the table.

The Assembly returned the Assembly bill entitled "An act authorizing the city of Lockport to raise money for purchasing a hose carriage and firemen's badges," with a message that they have concurred in the amendment made thereto by the Senate.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the concurrent resolution for the loan of flags to the First National Sarsfield Circle, Fenian Brotherhood, with a message that they had concurred in the passage of the same without amendment.

Mr. Nicks gave notice that he would, at an early day, ask leave to introduce a bill for the relief of Lucien Billingham.

Mr. Mattoon gave notice that he would, at an early day, ask leave to introduce a bill to authorize the Cazenovia and Canastota Railroad Company to take increased fare.

Also a bill to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Binghamton railroad, and to become stockholders therein.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the 'German Liederkrantz' of the city of New York,' passed March 24th, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act to amend section 1 of chapter 785 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State, in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery; to sell a portion of their lands, and to provide for compensation of lot owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the extension of the time for the collection of taxes in the town of Pomfret, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Morris and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Morris	Palmer
Campbell	Genet	Humphrey	Murphy	Tweed
Cauldwell	Graham	Mattoon	Nichols	Van Petten
Chapman	Hale	Morgan	Nicks	Williams
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called Greenburgh avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act fixing the time for the holding of elections of trustees, town officers, and members of the board of education of the school district of the town of Morrisania, county of Westchester, and for regulating such elections," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Morgan, from the committee on engrossed bills, reported that they have compared the following entitled bill with the original, passed by unanimous consent January 26, and find the same correctly engrossed:

"An act to authorize the extension of the time for the collection of taxes in the town of Pomfret, in the county of Chautauqua."

The bill entitled "An act to incorporate the American and Foreign Commercial Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford
Beach	Folger	Humphrey	Nichols	Tweed

Campbell	Graham	Morgan	Nicks	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Chapman				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the New York Bridge Company for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn,' passed April 16, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford
Beach	Folger	Humphrey	Nichols	Thayer
Campbell	Genet	Morgan	Nicks	Tweed
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hale			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Thayer
Beach	Creamer	Hale	Nichols	Tweed
Campbell	Folger	Hubbard	Palmer	Van Petten
Cauldwell	Genet	Morgan	Stanford	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the official acts of Lyman W. Thompson, a justice of the peace of the town of Cherry Valley, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chpman	Hubbard	Palmer	Tweed
Beach	Folger	Morgan	Stanford	Van Petten
Campbell	Genet	Nichols	Thayer	Williams
Cauldwell	Hale	Nicks		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the 'Devoe and Pratt Manufacturing Company' to change its name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Tweed
Beach	Folger	Hubbard	Nichols	Van Petten
Campbell	Genet	Mattoon	Nicks	Williams
Cauldwell	Graham	Morgan	Thayer	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Van Petten offered the following resolution:

Resolved, That the Adjutant General be respectfully requested to report to the Senate if he has any official knowledge of any contract with any person or persons in the State of Rhode Island or elsewhere, for the altering of any muskets, the property of this State, and if so that he give the date thereof, the State officers by whom the same was made, the other parties, the terms and amount thereof, the provisions of law under which the same was made, if any, and any other information in relation thereto which he may deem of importance to the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Williams, the Senate adjourned.

WEDNESDAY, JANUARY 27, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Hubbard presented a petition of Isaac S. Newton, Esq., that the law applicable to the proofs and acknowledgment of conveyances, when taken out of the State, be made applicable to the taking and certifying of affidavits made out of the State, to be used in judicial proceedings in this State, which was read and referred to the committee on the judiciary.

Mr. Murphy presented a petition of Henry E. Pierrepont, Charles R. Marvin and J. Lawrence Smith, for the incorporation of the trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island, which was read and referred to the committee on charitable and religious societies.

Also a petition of the trustees of the Sailors' Snug Harbor in the city of New York, to exempt certain property in Richmond county from taxation, which was read and referred to the committee on the judiciary.

Mr. Hale presented six petitions of citizens of the county of Essex for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relative to public instruction,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to enable the board of education of the city of Syracuse, to transfer the fund belonging to said city, arising from

the Gospel and School lots to the permanent fund under their control for school purposes, and expend the same as a part of such fund," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 1 of chapter 765 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,' passed April 24th, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Inspectors of State Prisons, reported in favor of the adoption of the following resolution :

Resolved, That 1,000 copies of the annual report of the Inspectors of State Prisons be printed for the use of the Senate, and 1,500 copies for the use of the Inspectors, to be bound.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Humphrey moved to take from the table the question agreeing to the report of the committee on literature adverse to the bill entitled "An act entitled 'An act to authorize the board of education to establish the rates of tuition and collect the same for the academical department of the Union School, in school district No. 10, in the town of Warsaw, in the county of Wyoming.'"

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Humphrey moved that said bill be recommitted to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Long Island Tunnel and Railway Company.

The President presented the following communication :

ALBANY, January 27, 1869.

To the Honorable the Senate of the State of New York :

You are respectfully invited to attend the session of the Eclectic Medical Society of the State of New York, which will be held at the Assembly chamber, this evening at 7½ o'clock.

M. M. Fenner, M. D., of Chautauqua county, will deliver the address on that occasion.

WM. W. HADLEY, M. D., *President.*

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate Phœnix Hook and Ladder Company No. 1, of Green Port, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to provide for transportation under ground on the westerly side of the city of New York, and to authorize the organization of a railroad corporation therefor," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14th, 1868, and extend and change the route of said road, and confer additional powers on the commissioners under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Binghamton railroad, and to become stockholders therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act in relation to the Supreme Court Library in the sixth judicial district," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Home Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Hamilton Savings Bank of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county,' passed April 11, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act conferring additional powers upon the University of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to provide sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to regulate fees in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to authorize the widening of the western boundary streets on the Hudson river, in New York city, including the Twelfth avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent the rules were suspended, and Mr. Hale moved that the Senate go into executive session at 12 o'clock, for the consideration of appointments for notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks offered the following resolution:

Resolved, That the papers on the files of the Senate relative to the claim of Willis B. Sayre and others, and also the papers on file relative to the claim of Ovid Plumb and others, be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the petition of citizens of the village of Wellsville, for the passage of an act in relation to auction sales in said village, reported by bill entitled "An act regulating auction sales in the village of Wellsville," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Hiram Weeks," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Eli A. Bronson for relief, reported by bill entitled "An act for the relief of Eli A. Bronson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond."

"An act to legalize the acts of Joseph Gutman, jr., as notary public."

"An act to legalize the acts of James Johnston, a justice of the peace of Lewis county, and to continue him in office for the term for which he was elected."

After some time spent therein the President resumed the chair, and Mr. Pierce, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Pierce, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the same committee, reported in favor of the passage

of the last named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to permit the Fulton Manufacturing Company to reduce the number of its trustees, and to amend the articles of association of said company for that purpose."

"An act authorizing the construction and maintaining of a free bridge over the Susquehanna river between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

After some time spent therein the president resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Norton, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The President presented a communication from the Auditor of the Canal Department, relative to the Albany basin, which was referred to the committee on canals, and ordered printed.

(See Doc. No. 19.)

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

The Assembly returned the bill entitled "An act to authorize the extension of the time for the collection of taxes in the town of Pomfret, in the county of Chautauqua," with a message that they had concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Tweed, the Senate adjourned.

THURSDAY, JANUARY 28, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Folger presented a petition of citizens of Manchester, Ontario county, for a law authorizing town meetings to be held in election districts, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Tweed presented a petition of the Society for the Relief of Poor Widows with small children, for leave to take and hold real and personal property, which was read and referred to the committee on the judiciary.

Mr. Nicks presented a petition of Willis B. Sayre and others for relief, which was read and referred to the committee on claims.

Mr. Thayer presented a petition of Henry J. Seymour for canal damages, which was read and referred to the committee on claims.

Mr. Norton presented a petition of citizens of New York, for repeal of chapter 489 of Laws of 1867, being charter of Elevated railway, which was read and referred to the committee on municipal affairs.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the New York and Erie railway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act to incorporate 'The Long Island Safe Deposit Company,' passed May 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act in relation to school district No. 1, of the town of Seneca, Ontario county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act conferring additional powers upon the University of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the German Leiderkranz of the city of New York,' passed March 24, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Edward Todd and his assigns," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of W. B. Noble and others, for a law extending the registry law now in force in cities to the town of Geddes, reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing 'Lillie Safe and Iron Company' to change its corporate name," reported that they have made some amendments thereto, and amended the title so as to read "An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works,'" and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary, Academy and Industrial School for benevolent, charitable and scientific purposes,'" reported that they have made some amendments thereto, and amended the title so as to read "An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary, Academy and Industrial School for benevolent, charitable and scientific purposes, and to make valid gifts

and grants to it and property acquired by it, and acts and proceedings done and had by it," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Commissioners of Charities and Corrections of the city of New York, reported in favor of the adoption of the following resolution:

Resolved, That there be 500 copies of the annual report of the Commissioners of Charities and Corrections of the city of New York, printed and bound for use of said Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in words following:

Resolved, (if the Senate concur,) That Post No. 5, Grand Army of the Republic of the city of Albany, be allowed the use of twenty National flags from the Military Bureau, for the purpose of decorating their hall on Friday evening of this week, and that the same be returned after use on the same evening.

Ordered, That said resolution be laid on the table.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to establish a free German American Institute in the city of New York.

The Assembly returned the bill entitled "An act to legalize the official acts of Lyman W. Thompson, a justice of the peace of the town of Cherry Valley, Otsego county," with a message that they have concurred in the amendment of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds in bonds issued by any incorporated city or village of this State, pursuant to any law of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act relating to the claim of Henry J. Seymour for canal damages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to facilitate the opening of streets and avenues within certain districts of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act requiring the accounts of the superintendents of the poor of Allegany county, to be audited by a committee of the board of supervisors in the same manner as the accounts of other

officers and persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to increase the compensation of the supervisors of Allegany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the Society for the relief of Poor Widows with small children to take and hold real and personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to alter the map or plan of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to provide additional buildings for lunatics in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15th 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the towns of Wilna, Champion, Rutland, Le Ray, Pamela, Watertown, Brownville and Hounsfield, in Jefferson county, to take stock and issue bonds therefor in aid of the Carthage, Watertown and Sacketts Harbor Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to confirm certain acts of the town officers of the town of Oppenheim, Fulton county, and to provide for the payment of certain claims against the said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Mont de Piete for savings and loans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to erect the town of Ashland, in the county of Chemung,' passed April 25th, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on erection and division of towns and counties.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act for the relief of Lucien Billinghamurst," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company,' passed May 11, 1846, passed May 5, 1847, passed March 25, 1852,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Long Island Tunnel and Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to establish and incorporate the board of education of the Methodist Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Van Petten, asked and obtained leave to introduce a bill entitled "An act to authorize the town of Manheim to raise money by tax to pay for the bridge over Ransom's creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to repeal chapter 489 of the Laws of 1867, being 'An act to provide for the construction of an experimental line of railways in the counties of New York and Westchester, passed April 22, 1867,' and chapter 855 of the Laws of 1868, being 'An act supplementary to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases,' passed June 3, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act authorizing the construction and maintaining of a free bridge over the Susquehanna river between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

"An act to legalize the acts of Joseph Gutman, jr., as notary public."

"An act to legalize the acts of James Johnston, a justice of the peace of Lewis county, and to continue him in office for the term for which he was elected."

"An act to permit the Fulton Manufacturing Company to reduce the number of its trustees, and to amend the articles of association of said company for that purpose."

The bill entitled "An act to legalize the acts of Joseph Gutman, jr., as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Tweed
Beach	Edwards	Morgan	Palmer	Van Petten
Campbell	Folger	Morris	Stanford	Williams
Cauldwell	Hubbard	Nicks	Thayer	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the acts of James Johnston, a justice of the peace of Lewis county, and to continue him in office for the term for which he was elected," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Nicks	Stanford
Beach	Edwards	Morgan	O'Donnell	Thayer
Campbell	Folger	Morris	Palmer	Williams
Cauldwell	Humphrey	Nichols	Pierce	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to permit the Fulton Manufacturing Company to reduce the number of its trustees, and to amend the articles of association of said company for that purpose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Thayer
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Chapman	Humphrey	Nichols	Pierce	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the construction and maintaining of a free bridge over the Susquehanna river between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	O'Donnell
Beach	Creahner	Humphrey	Nichols	Pierce
Bradley	Edwards	Mattoon	Nicks	Thayer
Campbell	Folger	Morgan	Norton	Williams
Cauldwell	Graham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Murphy offered the following resolution:

Resolved, That the Comptroller be requested to communicate to the Senate the number of certificates which have been delivered for claims adjudicated by the Commissioners as appointed under the act of April 8, 1859, for the adjustment and payment of certain claims for the services of the militia of this State in the war of 1812, and the aggregate amount certified in and by the certificates so delivered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Cauldwell offered the following resolution:

Resolved, That it be referred to the committee on the judiciary to inquire whether it is in accordance with the fundamental law and not in interference with vested rights to require of the New York and New Haven Railroad Company, that it shall carry passengers in the State of New York at no greater rate than it does passengers in the State of Connecticut, and also to require said company to permanently locate stations and run passenger trains in such manner as shall accommodate the people of the State of New York; and that if the said committee shall be of opinion that said legislation be legal and proper that they report by bill.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to amend section 89 of article 2 of chapter 1 of part 2 of the Revised Statutes, relative to trustees and their removal.

The President presented a communication from the Adjutant General in reply to a resolution of the Senate relative to changing muskets, &c., which was laid on the table.

(See Doc. No. 22.)

Mr. Mattoon offered the following resolution:

Resolved, That there be printed immediately, 200 copies of the foregoing communication for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell presented the report of the Managers of the State Lunatic Asylum at Utica, which was laid on the table and ordered printed.

(See Doc. No. 21.)

On motion of Mr. Tweed, the Senate adjourned.

FRIDAY, JANUARY 29, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Coit.

The journal of yesterday was read and approved.

Mr. Nichols presented a petition of the Evangelical Lutheran St. John's Orphans' Home, for State aid, which was read and referred to the committee on finance.

Mr. Tweed presented seven petitions of citizens of New York, for repeal of chapter 489 of the Laws of 1867, being charter of "Elevated Railway Company," which were read and referred to the committee on municipal affairs.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize the Canal Commissioner in charge of the eastern division of the State canals to improve the Albany basin," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals, to construct the pier to improve the Albany basin," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize the construction of a bridge across the Chenango canal in the village of Norwich," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Niagara Frontier Police Commissioners, reported in favor of the adoption of the following resolution:

Resolved, That 100 copies of the annual report to the Governor of the Niagara Frontier Police Commissioners, be printed for the use of said Board of Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Managers of the Western House of Refuge, reported in favor of the adoption of the following resolution:

Resolved, That 1,200 copies of the report of the Managers of the Western House of Refuge be printed for the use of the Institution, and 500 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That there be printed of the annual report of the Managers and Superintendent of the State Lunatic Asylum at Utica, 4,000 copies for the use of the Managers, and 1,000 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act authorizing and directing the disposition of money derived from the sale of the 'Church property' of the Mendon Central Congregational Society of Mendon, Monroe county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the petition of Henry E. Pierrepont and others, for an act to incorporate trustees of diocese of Long Island, reported by bill entitled "An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the corporate name of 'The First Congregational Society' of the town of Pike, Allegany county, New York, to 'The First Presbyterian Society' of the town of Pike, Wyoming county, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented a communication from the Secretary of State, relative to the delay in printing documents, &c., of the Legislature of 1868, which was laid on the table and ordered printed.

(See Doc. No. 23.)

Mr. Mattoon offered the following resolution:

Resolved, That the Sergeant-at-Arms be directed to count and keep a record, in a book to be provided for that purpose, of the number of all documents, extra and otherwise, received from the printers at his office, and to whom distributed.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach

Edwards
Genet

Mattoon
Morgan

Nichols
Norton

Pierce
Stanford

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Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize the Canal Commissioner in charge of the eastern division of the State canals to improve the Albany basin," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals, to construct the pier to improve the Albany basin," and as amended, recommend its passage; said bill was committed to the committee of the whole.

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Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

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(See Doc. No. 23.)

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The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach

Edwards
Genet

Mattoon
Morgan

Nichols
Norton

Pierce
Stanford

Bradley
Campbell
Cauldwell

Hubbard
Humphrey

Morris
Murphy

O'Donnell
Palmer

Thayer
Tweed

21

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended and said bill ordered returned to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same without amendment.

Mr. Hubbard gave notice that he would, at an early day, ask leave to introduce a bill to abolish the office of Superintendent of the Bank Department.

In pursuance of previous notice, Mr Genet asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in 125th street, and other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to empower captains and sergeants of the Metropolitan police to let to bail in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend section 89 of article 2 of title 2 of chapter 1 of part 2 of the Revised Statutes, relative to trustees and their removal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called Tarrytown avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend an act to provide for the incorporation of life and health insurance companies, and in relation to the agencies of such companies, passed June 24, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to authorize the extension of 'The Clove Branch railroad,' and to facilitate its construction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act in relation to the Jamaica and Brooklyn plankroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Genet moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the petition of W. B. Noble and others, for a law extending the registry law, as applicable to cities, to the town of Geddes, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Stanford offered the following resolution:

Resolved, That the report of the Adjutant General relating to the contract on the part of the State for the repairing of ten thousand muskets, be referred to the committee on military affairs, with power to inquire upon what authority the said contract was made, and whether any pecuniary interest or improper motive on the part of any person interested in the making or procuring the making of said contract induced the making thereof, and if so, what person or persons were so instrumental; that said committee have power to send for persons and papers, material to said investigation, and to report the material evidence taken by them relating thereto with their opinion in the premises to the Senate within twenty days.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten called for the consideration of the resolution, in the words following:

Resolved, (if the Senate concur,) That Post No. 5, Grand Army of the Republic of the city of Albany, be allowed the use of twenty National flags from the Military Bureau, for the purpose of decorating their hall on Friday evening of this week, and that the same be returned after use on the same evening.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended and said resolution ordered returned to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Beach moved that when the Senate adjourns to-day, it adjourn until Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thayer offered the following resolution:

Resolved, That the State Engineer and Surveyor be respectfully requested to report to the Senate, at his earliest convenience, the cost, plans and specifications of the swing bridge to be erected over the Erie canal at Rochester; also the width of the pier for said bridge, and the width of water-way each side of said pier.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to incorporate the Yorkville Savings Bank of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Morgan, the Senate adjourned.

MONDAY, FEBRUARY 1, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Friday, January 29, was read and approved.

Mr. Palmer presented a petition of the Young Men's Hebrew Benevolent Association of the city of New York, for change of name, which was read and referred to the committee on charitable and religious societies.

Mr. Beach presented two petitions of citizens of Greene county, for amendment of highway law relative to commutation for highway labor, which were read and referred to the committee on roads and bridges.

The President presented the annual report of the Trustees of the Astor Library, which was laid on the table and ordered printed.

(See Doc. No. 24.)

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act providing for the erection of a town hall in the town of Morrisania, Westchester county,' passed April 13th, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to extend the term of service of the board of supervisors of Monroe county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act requiring the accounts of the superintendents of the poor of the county of Allegany, to be audited by a committee of the board of supervisors of said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Academy of Music' of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to change the name of the Young Men's Hebrew Benevolent Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes, in regard to the rate of interest upon the loan or forbearance of money, goods, or things in action," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act authorizing corporations for pecuniary profit,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering or repairing of buildings in the city of New York,' passed May 5, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to prevent shooting any wild bird or animal in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Genet offered the following resolution:

Resolved, That there be printed of the annual report of the Trustees of the Astor Library, 500 copies for the use of the Trustees.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund."

"An act to amend section one of chapter 765 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,' passed April 24, 1867."

"An act regulating auction sales in the village of Wellsville.

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of Eli A. Bronson."

"An act in relation to school district No. 1 of the town of Seneca, Ontario county."

"An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the New York and Erie railway."

After some time spent therein the President resumed the chair, and Mr. Thayer, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Thayer, from the same committee, reported in favor of the passage

of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported that they have made some amendments to the last named bill, and amended the title by striking out the words "New York and" and as amended, recommend its passage, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works.'"

"An act conferring additional powers upon the University of the city of New York."

"An act to amend an act entitled 'An act to incorporate the German Leiderkranz of the city of New York,' passed March 24, 1860."

After some time spent therein the President resumed the chair, and Mr. Campbell, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Campbell, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Beach moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Beach raised the point of order that there was not a quorum present.

The Clerk called the roll, when the following Senators answered to their names:

Banks	Cauldwell	Graham	Kennedy	Van Petten
Beach	Folger	Hubbard	Palmer	Williams
Campbell	Genet	Humphrey	Thayer	14

No quorum being present.

On motion of Mr. Beach, the Senate adjourned.

TUESDAY, FEBRUARY 2, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Mr. Thayer presented a petition of citizens of Salem, for amendment of charter, which was read and referred to the committee on municipal affairs.

Also, from same, for a law to legalize special town meeting, which was read and referred to the committee on the judiciary.

Mr. Folger presented a petition of citizens of Ontario county, for increase of salaries of judges, which was read and referred to the committee on the judiciary.

Mr. O'Donnell presented a memorial of the board of supervisors of Lewis county, for repeal of the militia law exempting property from

assessment and taxation, which was read and referred to the committee on militia and public defence.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Yorkville Savings Bank of the city of New York."

"An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund."

"An act regulating auction sales in the village of Wellsville."

"An act conferring additional powers upon the University of the city of New York."

"An act to amend an act entitled 'An act to incorporate the German Liederkranz of the city of New York,' passed March 24, 1860."

"An act to amend section 1 of chapter 765 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,' passed April 24, 1867."

"An act in relation to school district No. 1 of the town of Seneca, Ontario county."

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act fixing the time for the holding of elections for the election of trustees, town officers, and members of the board of education of the school districts of the town of Morrisania, in the county of Westchester, and for regulating said elections," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to increase the compensation of the board of supervisors of the county of Allegany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy gave notice that he would, at an early day, ask leave to introduce a bill to establish an academical department in the Normal School at Cortlandville, and for other purposes.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to prevent the wilful and malicious setting on fire of wood, boards, timber or other lumber, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to provide for raising by tax on the taxable property in the town of Salem, Washington county, five thousand dollars, by installments, with annual interest to be applied towards the construction of a new court house in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees, and raising money by tax for new court house," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to enable the town of Waddington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act for the relief of Richard M. Hoe and William Watson, commissioners under the act passed the 15th day of April, 1867, to grade, regulate and macadamize the southerly highway in the towns of Westchester and West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the election of police commissioners in the city of Syracuse, and to establish a police force therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to the Wallabout improvement in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the removal of wall benches on section 10 of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to prevent the fraudulent issue of stock by incorporated companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend section 246 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act respecting the extension of the charters of certain insurance companies," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on insurance companies.

The bill entitled "An act to incorporate the Yorkville Savings Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Murphy	Thayer
Beach	Crowley	Hubbard	O'Donnell	Van Petten
Campbell	Folger	Humphrey	Parker	Williams
Cauldwell	Genet	Kennedy	Stanford	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Murphy	Thayer
Beach	Crowley	Hubbard	O'Donnell	Van Petten
Campbell	Genet	Humphrey	Parker	Williams
Cauldwell	Graham	Kennedy	Stanford	19

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act regulating auction sales in the village of Wellsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Hubbard	O'Donnell	Thayer
Campbell	Graham	Humphrey	Parker	Van Petten
Cauldwell	Hale	Kennedy	Stanford	Williams
Folger				16

FOR THE NEGATIVE.

Beach	Chapman	Crowley	Murphy	4
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Mr. Humphrey moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act conferring additional powers upon the University of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Genet	Hubbard	Thayer	
Campbell	Crowley	Graham	Murphy	Williams	
Cauldwell	Folger	Hale	Stanford		14

FOR THE NEGATIVE.

Kennedy	O'Donnell	Parker	Van Petten	4
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Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Hubbard offered the following resolution:

Resolved, (if the Assembly concur,) That the Senators of this State in Congress be instructed, and the Representatives from this State in Congress be requested, to vote and use their influence to secure the repeal of the Civil Tenure Law.

Ordered, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference.'"

"An act for the relief of Eli A. Bronson."

"An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867."

After some time spent therein the president resumed the chair, and Mr. Banks, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to construct a pier to improve the Albany basin."

"An act for the relief of Edward Todd and his assigns."

"An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary Academy and Industrial School for benevolent, charitable and scientific purposes,' and to make valid gifts and grants to it, and property acquired by it, and acts and proceedings done and had by it."

After some time spent therein the President resumed the chair, and Mr. Beach, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Beach, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to said bill ordered engrossed for a third reading.

Mr. Beach, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The President presented the first report of the President of the Inebriates' Home for Kings county, for the year ending December 31, 1868, which was laid on the table and ordered printed.

(See Doc. No. 25.)

On motion of Mr. Graham, the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Graham presented a remonstrance of citizens of Middletown, against bonding said town, which was read and referred to the committee on railroads.

Mr. Pierce presented a petition of citizens of Brooklyn, for the extension of Prospect park, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Nicks presented a petition of Erastus Knapp, for relief, which was read and referred to the committee on claims.

Also a petition of Orrin W. Rose, for relief, which was read and referred to the committee on claims.

Also a petition of Jefferson Johnson, for relief, which was read and referred to the committee on claims.

Mr. Stanford presented three remonstrances of citizens of Northumberland, against free bridge at Fort Edward, which were read and referred to the committee on roads and bridges.

Also eight petitions of citizens of Saratoga county, for bridge at Fort Edward, which were read and referred to the committee on roads and bridges.

Mr. Banks, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate 'The Academy of Music' of the city of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to extend the time for certain towns in the counties of Ulster, Delaware, Greene and Schoharie, to issue bonds and take stock in the Rondout and Oswego railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the city of Syracuse to issue bonds and take stock in the Syracuse Northern and Syracuse and Chenango Valley railroad," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for

the improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to provide for the submission to the people of the Constitution proposed by 'the Convention to revise and amend the Constitution,' and for an election of certain judges thereunder," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Catharine Smith and her assigns, the interest of the people of the State of New York in certain lands of which John Smith died seized," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from the minority of the committee on the judiciary, to which was referred the bill entitled "An act to provide for the submission to the people of the Constitution proposed by 'the Convention to revise and amend the Constitution,' and for an election of certain judges thereunder," reported that a minority thereof had come to an unfavorable conclusion thereon, and report by bill entitled "An act to provide for submitting the amended Constitution to the electors of this State," said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bill entitled as follows:

"An act to provide for raising moneys for the payment of the improvements necessary to be made on the roads and bridges in the town of Ellcott, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the Erie railway."

"An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary Academy and Industrial School for benevolent, charitable and scientific purposes,' and to make valid gifts and grants to it, and property acquired by it, and acts and proceedings done and had by it."

"An act to amend an act entitled 'An act to incorporate the members of the Genesee Annual Conference,' passed April 13, 1819."

"An act for the relief of Eli A. Bronson."

"An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867."

"An act for the relief of Edward Todd and his assigns."

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to define more particularly the powers of the Com-

missioners of the Land Office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the payment by the town of Afton to the commissioners for the erection of a new bridge in said town, to the amount expended by them for extra anchors for said bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to regulate the forfeiture of policies of life insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act in relation to evidence in criminal proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to make inspectors of plankroads and turnpikes, inspectors of toll bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the city of Binghamton to widen the bridge over the Chenango canal at Court street, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act in relation to the legislative printing, and to exclude in printing superfluous matter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public printing.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to incorporate the Southern Tier Savings Bank in the city of Elmira, Chemung county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Howard Literary Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22d, 1864, as amended by subsequent acts," which was read the first time, and by

majority of all the
the first
The President
1860, "Washing-
German Lei
The bill entitled
manipulation

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference,'" having been announced for a third reading:

On motion of Mr. Crowley and by unanimous consent, said bill was amended by striking out section 1 of engrossed bill, and inserting the following:

Sec. 1. The name of the corporation created by the act of the Legislature of the State of New York, entitled "An act to incorporate the members of the Genesee Annual Conference," passed April 13, 1819, is hereby changed to the "Genesee Conference of the Methodist Episcopal Church."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Palmer	Stanford
Beach	Folger	Morgan	Parker	Van Petten
Campbell	Graham	Murphy	Pierce	Williams
Cauldwell	Humphrey	Nicks		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend and act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Humphrey	Murphy	Pierce	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Humphrey moved to take from the table the motion to reconsider the vote upon the bill entitled "An act regulating auction sales in the village of Wellsville."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	O'Donnell	Stanford
Campbell	Graham	Morgan	Palmer	Van Petten

Cauldwell	Hubbard	Morris	Parker	Williams	
Folger	Humphrey	Nicks	Pierce		19

FOR THE NEGATIVE.

Beach	Murphy				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 765 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,' passed April 24, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Stanford	
Beach	Genet	Morgan	O'Donnell	Thayer	
Campbell	Graham	Morris	Parker	Van Petten	
Cauldwell	Hubbard	Murphy	Pierce	Williams	
Crowley	Humphrey				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Folger moved to take from the table the motion to reconsider the vote upon the bill entitled "An act conferring additional powers upon the University of the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	O'Donnell	Stanford	
Beach	Graham	Morris	Parker	Van Petten	
Campbell	Humphrey	Murphy	Pierce	Williams	
Cauldwell	Kennedy	Nicks			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Eli A. Bronson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Murphy	Pierce	
Beach	Folger	Kennedy	Nicks	Thayer	
Campbell	Genet	Morgan	O'Donnell	Van Petten	
Cauldwell	Graham	Morris	Parker	Williams	20

FOR THE NEGATIVE.

Crowley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Edward Todd and his assigns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Murphy	Pierce
Beach	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Parker	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary Academy and Industrial School for benevolent, charitable and scientific purposes," and to make valid gifts and grants to it, and property acquired by it, and acts and proceedings done and had by it," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	Parker	Williams
Cauldwell	Genet	Kennedy		

18

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Campbell offered the following resolution :

Resolved, That the time limited to the committee on railroads in which to pursue certain investigations in regard to the issue of bonds and stock by certain railroad companies of this State, and to make report thereon, in and by the order of the Senate, made January 6, 1869, be and is hereby extended for the period of twenty days.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten offered the following resolution :

Resolved, That the committee on the militia be discharged from the further consideration of the resolution directing them to investigate and report upon the contract for the conversion of muskets into breach-loaders, with the Roberts Breach Loading Arms Company, and that the same be referred to the judiciary committee.

Mr. Chapman moved to lay said resolution upon the table,

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Debate was had thereon; when

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford	
Campbell	Genet	Humphrey	Pierce	Van Petten	
Cauldwell	Graham	Morgan			13

FOR THE NEGATIVE.

Chapman	O'Donnell	Palmer	Parker	Thayer	
Kennedy					6

When the name of Mr. Beach was called, he asked to be excused from voting.

The President put the question whether the Senate would grant such request, and it was decided in the affirmative.

By unanimous consent, Mr. Humphrey moved that the Senate go into executive session for the consideration of nominations for notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of Hiram Weeks."

"An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works.'"

"An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to construct a pier to improve the Albany basin."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the same committee, reported progress on the last named bill and asked and obtained leave to sit again.

Mr. Williams offered the following resolution:

Resolved, That 300 extra copies of the majority and minority reports of the judiciary committee, of bills to submit the New Constitution of this State to the people, be printed for the use of the Senate.

By unanimous consent the rules were suspended, and said resolution considered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Banks, the Senate adjourned.

THURSDAY, FEBRUARY 4, 1869.

The Senate met pursuant to adjournment.

In the absence of the President, the Senate was called to order by the Clerk.

Mr. Murphy offered the following resolution:

Resolved, That Hon. Charles J. Folger be and he is hereby appointed President *pro tem* of the Senate for this session.

The Clerk put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Prayer by Rev. Dr. Elmendorf.

Mr. Kennedy offered the following resolution:

Resolved, That a committee of two be appointed to wait upon the honorable the Assembly and inform them that the Senate have elected the Hon. Charles J. Folger, President *pro tem* of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Kennedy and Hubbard.

The journal of yesterday was read and approved.

Mr. Kennedy, from the committee appointed to wait upon the honorable the Assembly and inform them of the election of President *pro tem* of the Senate, reported that they had discharged that duty.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of Hiram Weeks."

"An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works.'"

Mr. Thayer presented a petition from 330 citizens of Washington county, for rebuilding a free bridge over the Hudson river at Fort Edward, which was read and referred to the committee on roads and bridges.

Mr. Stanford presented six remonstrances of inhabitants of the county of Saratoga, against a free bridge at Fort Edward, which were read and referred to the committee on roads and bridges.

Mr. Williams presented a petition of residents of Red Creek, for amendment to charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Crowley presented a petition of H. Gardner, of Niagara county, for an increase of the salaries of judges of the Court of Appeals and justices of Supreme Court, which was read and referred to the committee on the judiciary.

Mr. Hubbard presented a petition of citizens of Madison county, for the passage of a bill increasing fare on the Cazenovia and Canastota railroad, which was read and referred to the committee on railroads.

Mr. Folger presented a petition of citizens of several towns in Ontario county, for a savings bank at Canandaigua, which was read and referred to the committee on banks.

Mr. Parker presented a remonstrance against the Waddington railroad bill, which was read and referred to the committee on railroads.

Mr. Morris presented a petition of citizens of Erie county, for draining lands between the Tonawanda creek and Ransom creek, in the town of Amherst, Erie county, which was read and referred to the committee on the judiciary.

Mr. Norton presented a petition of citizens of New York, for repeal of chapter 489 of the Laws of 1867, being the charter of the Elevated Railway Company, which was read and referred to the committee on municipal affairs.

Mr. Morris presented a petition of St. Mary's Deaf and Dumb Asylum at Buffalo, for State aid, which was read and referred to the committee on finance.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24th, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24th, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to regulate the forfeiture of policies of life insurance," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to establish and incorporate the board of education of the Methodist Episcopal Church," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the election of police commissioners in the city of Syracuse, and to establish a police force therein," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed

May 19th, 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the towns of Wilna, Champion, Rutland, Le Ray, Pamela, Watertown, Brownville and Hounsfield, in Jefferson county, to take stock, &c., in aid of Carthage, Watertown and Sackets Harbor Railroad company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Flushing and Northside Railroad Company to purchase the Flushing and Woodside railroad, and the New York and Flushing railroad, and to consolidate them into one corporation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the extension of the Clove Branch Railroad Company, and to facilitate its construction," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails of same, &c., passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the town of Manheim to raise money by tax to pay for the bridge over Ransom's creek," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the petition of citizens of Manchester, Ontario county, for a law authorizing town meetings to be held in election districts, reported by bill entitled "An act to enable the electors of the town of Manchester, Ontario county, to hold their town elections in the separate election districts thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Assembly was received and read, in the words following:

Resolved, That a respectful message be sent to the honorable the Senate requesting the transmission to this House of the papers on their files relative to legitimatizing the children of James Denison, and that when received, they be referred to the committee on the judiciary."

Ordered, That the Clerk transmit said papers to the Assembly, if the same can be found.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Red Creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to enable the New York Elevator Company

to complete its organization and commence business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to provide for draining the wet lands between the Tonawanda creek and Ransom's creek, in the town of Amherst, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the village of Dunkirk to issue bonds for the purpose of supplying said village with water, and to create a board of water commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to provide for the payment of State Assessors for their services and expenses for the year 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to provide for the construction of a sluice or culvert from the State ditch to the Erie canal, in the town of Pendleton, Niagara county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto, of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Empire City Railroad Company, and to authorize it to construct and operate a railroad in the city of New York," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to promote the safety of travelers on railroads, and to punish careless and negligent employees.

The bill entitled "An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Stanford	
Beach	Graham	Morgan	Palmer	Thayer	
Campbell	Hubbard	Morris	Parker	Van Petten	
Crowley	Humphrey	Nicks	Pierce	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Hiram Weeks," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford	
Beach	Edwards	Kennedy	Palmer	Thayer	
Campbell	Folger	Morgan	Parker	Van Petten	
Chapman	Graham	Morris	Pierce	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy offered the following resolution :

Resolved, That there be printed of the annual report of the Trustees of the New York State Asylum for Idiots, 500 copies for the use of the Trustees and Superintendent thereof.

Ordered, That said resolution be referred to the committee on public printing.

The President presented the third annual report of the Board of Trustees of the New York State Institution for the Blind, which was laid on the table and ordered printed.

(See Doc. No. 28.)

Mr. Morris presented the annual report of The De Veaux College for Orphan and Destitute Children, which was laid on the table and ordered printed.

(See Doc. No. 29.)

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows :

"An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to construct a pier to improve the Albany basin."

After some time spent therein the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan moved that said bill, as amended, be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Humphrey, the Senate adjourned.

FRIDAY, FEBRUARY 5, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

Mr. Morris presented a petition of Abner Hazeltine and others, to increase salaries of judges of Court of Appeals and Supreme Court, which was read and referred to the committee on the judiciary.

Mr. Nicks presented two remonstrances of 200 citizens of the town of Chemung, against any alteration of the boundary line of the town of Chemung, or against annexing any part of the town of Chemung to the town of Ashland, Chemung county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Van Petten presented a petition of J. W. Brockway, asking that measures be taken by the Legislature to adjust the differences between the Auditor of the Canal Department and the State Treasurer, which was read and referred to the committee on finance.

Mr. Folger presented a petition of citizens of Yates county, to extend charter of Branchport Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. O'Donnell presented a memorial of the Kings County Central Temperance Association, against the repeal of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Also a memorial of the Grand Division of the Sons of Temperance, against the repeal of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Society for the Relief of Poor Widows with small children to take and hold real and personal property," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the town of Salem to raise five thousand dollars toward erecting a new court house in said town," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 12, chapter 20, part 1st of the Revised Statutes, entitled 'Of wrecks,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to provide for the payment of the State Assessors," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate Excelsior Temple of Honor No. 23, of the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to change the name of 'The Young Men's Hebrew Benevolent Association, in the city of New York,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the petition of various Baptist churches in Brooklyn, for an act of incorporation, reported by bill entitled "An act to incorporate the Baptist Home of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the trustees of the First Presbyterian Church and Society of the town of Perry, to convey certain real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers," reported in favor of the passage of the same with an amendment, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the payment by the town of Afton, to the commissioners for the erection of a new bridge in said town, to the amount expended by them for extra anchors for said bridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the city of Binghamton to widen the bridge over the Chenango canal at Court street, in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor," reported in favor of the passage of the same with an amendment, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the charter of the village of Red Creek," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees, and raising money by tax for new court house," reported in favor of the

passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to construct a pier to improve the Albany basin."

The President presented a communication from the State Engineer and Surveyor, relative to cost of swing bridge at Rochester, in reply to a resolution of the Senate adopted on the 29th January, 1869, which was laid on the table and ordered printed.

(See Doc. No. 30.)

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act for the relief of the Rochester City and Brighton Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act relative to lands devised by Thomas O'Brien, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter of the Supreme Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the Beaver Boom Company, and to authorize the erection of piers and booms across Beaver river, in Lewis county," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the First National Savings Bank of Lowville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The bill entitled "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to construct a pier to improve the Albany basin," having been announced for a third reading,

Mr. O'Donnell moved to recommit said bill, with instructions to insert

after the word "The" in line 1, section 1, the words "city of Albany under the direction of the."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	O'Donnell	Parker	5
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FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford	
Beach	Crowley	Kennedy	Pierce	Thayer	
Caldwell	Edwards	Murphy			13

On motion of Mr. Chapman and by unanimous consent, the title of said bill was amended by striking out the words "construct a pier to improve" and insert in lieu thereof the words, "do certain work in and about the Albany basin, and the lock leading into the same."

Mr. O'Donnell moved to recommit said bill to the committee on canals, with instructions to insert the following:

"Provided that no work shall be commenced under this bill until authorized by the Canal Board for the preservation of the State interest in the Albany basin, nor until the Pier Company have removed the old piers or abutments of the Columbia street bridge; and the said Company are hereby directed to immediately remove said piers or abutments under the direction of the Canal Commissioners, the expense thereof to be paid by said Pier Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	O'Donnell	Parker	
Crowley	Genet	Nicks			8

FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Palmer	Thayer	
Beach	Graham	Morgan	Pierce	Van Petten	
Caldwell	Hale	Murphy	Stanford	Williams	
Chapman	Hubbard				17

Mr. Kennedy moved to recommit said bill to the committee on canals, with instructions to strike out the words "Auditor of the Canal Department" and insert the word "Comptroller."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman offered the following resolution:

Resolved, That 500 copies of the report of the Trustees of the New York State Institution for the Blind, be printed for the use of the said Trustees.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Beach moved that when the Senate adjourn to day, it adjourn until Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the construction of a bridge across the Chenango canal, in the village of Norwich."

"An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society of Mendon, Monroe county."

"An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Stanford, from the committee on canals, to which was re-committed the bill entitled "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to do certain work in and about the Albany basin, and the lock leading into the same," reported the same back with amendments, as instructed by the Senate.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834."

Assembly, "An act to change the corporate name of the 'First Congregational Society of the town of Pike, Allegany county, New York,' to the 'First Presbyterian Society of the town of Pike, Wyoming county, New York.'"

"An act to amend an act entitled 'An act providing for the erection of a town hall, in the town of Morrisania, Westchester county,' passed April 13, 1868."

After some time spent therein the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the first and last named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein."

"An act to increase the compensation of the supervisors of Allegany county."

"An act to incorporate 'The Academy of Music of the city of Albany.'"

After some time spent therein the President resumed the chair, and Mr. Hale, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Hale, from the same committee, reported that they have made some amendments to the second named bill, and amended the title so as to read "An act to increase the compensation of the supervisors of the

counties of Broome and Allegany," and as amended, recommend its passage, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Williams, the Senate adjourned.

MONDAY, FEBRUARY 8, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Friday, February 5, was read and approved.

Mr. Cauldwell presented a petition for the passage of an act authorizing the raising of money to build and maintain a bridge across Byram river, at East Port Chester in the county of Westchester, which was read and referred to the committee on roads and bridges.

Mr. Nicks presented a remonstrance of forty-five tax payers of the town of Chemung, against any change of boundary line of said town, which was read and referred to the committee on the erection and division of towns and counties.

Also a petition of John G. Wormley, for relief, which was read and referred to the committee on claims.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the construction of a bridge across the Chenango canal in the village of Norwich."

"An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society, of Mendon, Monroe county."

"An act to incorporate 'The Academy of Music of the city of Albany.'"

"An act to incorporate the Trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island."

"An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834."

"An act to amend an act entitled 'An act providing for the erection of a town hall in the town of Morrisania, Westchester county,' passed April 13, 1868."

"An act to increase the compensation of the supervisors of the counties of Broome and Allegany."

The Assembly sent for concurrence the bills entitled as follows:

"An act changing the name of the Cherry Valley and Mohawk River Railroad Company, and to facilitate the construction of the road, and to exempt from certain taxation town bonds used for the construction thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing the sale of the property belonging to the Congregational Society of the town of Georgetown, Madison county," which was read the first time, and by unanimous consent was also read the

"An act to authorize the construction of a bridge across the Chenango canal, in the village of Norwich."

"An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society of Mendon, Monroe county."

"An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Stanford, from the committee on canals, to which was re-committed the bill entitled "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to do certain work in and about the Albany basin, and the lock leading into the same," reported the same back with amendments, as instructed by the Senate.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834."

Assembly, "An act to change the corporate name of the 'First Congregational Society of the town of Pike, Allegany county, New York,' to the 'First Presbyterian Society of the town of Pike, Wyoming county, New York.'"

"An act to amend an act entitled 'An act providing for the erection of a town hall, in the town of Morrisania, Westchester county,' passed April 13, 1868."

After some time spent therein the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the first and last named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein."

"An act to increase the compensation of the supervisors of Allegany county."

"An act to incorporate 'The Academy of Music of the city of Albany.'"

After some time spent therein the President resumed the chair, and Mr. Hale, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Hale, from the same committee, reported that they have made some amendments to the second named bill, and amended the title so as to read "An act to increase the compensation of the supervisors of the

counties of Broome and Allegany," and as amended, recommend its passage, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Williams, the Senate adjourned.

MONDAY, FEBRUARY 8, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Friday, February 5, was read and approved.

Mr. Cauldwell presented a petition for the passage of an act authorizing the raising of money to build and maintain a bridge across Byram river, at East Port Chester in the county of Westchester, which was read and referred to the committee on roads and bridges.

Mr. Nicks presented a remonstrance of forty-five tax payers of the town of Chemung, against any change of boundary line of said town, which was read and referred to the committee on the erection and division of towns and counties.

Also a petition of John G. Wormley, for relief, which was read and referred to the committee on claims.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the construction of a bridge across the Chenango canal in the village of Norwich."

"An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society, of Mendon, Monroe county."

"An act to incorporate 'The Academy of Music of the city of Albany.'"

"An act to incorporate the Trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island."

"An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834."

"An act to amend an act entitled 'An act providing for the erection of a town hall in the town of Morrisania, Westchester county,' passed April 13, 1868."

"An act to increase the compensation of the supervisors of the counties of Broome and Allegany."

The Assembly sent for concurrence the bills entitled as follows:

"An act changing the name of the Cherry Valley and Mohawk River Railroad Company, and to facilitate the construction of the road, and to exempt from certain taxation town bonds used for the construction thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing the sale of the property belonging to the Congregational Society of the town of Georgetown, Madison county," which was read the first time, and by unanimous consent was also read the

second time, and referred to the committee on charitable and religious societies.

"An act legalizing the conveyance of lands made to Johannes Roesing, an alien of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 49 of article 3 of title 1, chapter 6 of part 2 of the Revised Statutes, relative to inheritance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to create a Metropolitan fire department and establish a fire department therein,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to incorporate Arcade Hook and Ladder Company No. 1, at Arcade, Wyoming county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act authorizing the raising of money to build and maintain a bridge across Byram river, at East Port Chester in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act extending the provisions of chapter 317 of the Laws of 1866, to certain other subordinate bodies of Free Masons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to regulate district school libraries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act requiring the accounts of the superintendents of the poor of Allegany county to be audited by a committee of the board of supervisors in the same manner as the accounts of other officers and persons."

"An act fixing the time for the holding of elections for the election of trustees, town officers and members of the board of education of the school district of the town of Morrisania, in the town of Morrisania, county of Westchester, and for regulating such elections."

"An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies."

After some time spent therein the president resumed the chair, and Mr. Morgan, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Morgan, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to extend the time for certain towns in the counties of Ulster, Delaware, Greene and Schoharie, to issue bonds and take stock in the Rondout and Oswego railroad."

"An act to authorize the town of Manheim to raise money by tax to pay for the bridge at Ransom's creek."

"An act to enable the electors of the town of Manchester, Ontario county, to hold their town elections in the separate election districts thereof."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to authorize the trustees of the First Presbyterian Church and Society of the town of Perry, to convey real estate."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Humphrey, the Senate adjourned.

TUESDAY, FEBRUARY 9, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Clapp.

The journal of yesterday was read and approved.

Mr. Hale presented a petition of citizens of Essex county, for State aid to Whitehall and Plattsburgh railroad, which was read and referred to the committee on finance.

Mr. Williams presented a petition of citizens of Newark, for an act to

enable the trustees of the Newark cemetery to have the care of the burying ground in said village, which was read and referred to the committee on the judiciary.

Mr. Hubbard presented a petition of citizens and tax payers of Chango county, asking for a repeal of the present school law, which was read and referred to the committee on literature.

Mr. Bradley presented a petition of Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York, for a modification of their charter, which was read and referred to the committee on charitable and religious societies.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act respecting the extension of the charters of certain insurance companies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the action of the town meeting of the town of Palmyra, Wayne county, held on the 3d day of March, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27th, 1847," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 49 of article 8 of title 1, chapter 6 of part 2 of the Revised Statutes, relative to inheritance," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of the trustees of the Sailors' Snug Harbor in the city of New York, for an act to exempt certain property in Richmond county from taxation, reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering or repairing of buildings in the city of New York,' passed May 5, 1862," reported that they have made some amendments thereto, and amended the title so as to read: "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering or repairing of buildings in the city of New York,' passed May 5, 1862," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Mattoon gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Oswego Harbor Company.

Mr. Norton gave notice that he would, at an early day, ask leave to introduce a bill to regulate the freight on milk on the Harlem and Hudson River railroads.

Also a bill for the protection of persons traveling upon Fourth avenue, in the city of New York.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to enable the electors of the town of Manchester, Ontario county, to hold their town elections in the separate election districts thereof."

"An act requiring the accounts of the superintendents of the poor of Allegany county to be audited by a committee of the board of supervisors in the same manner as the accounts of other officers and persons."

"An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies."

Mr. Edwards presented the first annual report of the Conrad Poppenhusen Association for the advancement of knowledge and the improvement of the moral and social condition of the working classes, incorporated under act passed May 6th, 1868; which was laid on the table and ordered printed.

(See Doc. No. 82.)

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to release to Rice Lewis of West Turin, Lewis county, certain lands in this State, and to authorize him to hold the same and take out letters of administration and administer on the estate of Morris Lewis, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of money by instalments in the Union free school district No. 1 of the village of Catskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to incorporate the Prospect Park Hotel Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Missionary Society of the Methodist Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to facilitate the trial of indictments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Fidelity Safe Deposit

Company of the city of New York,'” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled “An act in relation to the examination of accounts of the Treasurer and other State officers,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled “An act to amend the several acts in relation to taxes and assessments in the city of New York,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled “An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill to amend section 1 of chapter 234 of the Laws of 1845, entitled ‘An act to amend the law in relation to suits against foreign corporations,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled “An act to define and amend ‘An act in relation to abandoned canals,’ passed April 8, 1857,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled “An act to amend the act entitled ‘An act in relation to Normal schools,’” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled “An act to enable the trustees of the Newark Cemetery Association to have the care of the old burying ground in said village,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled “An act in relation to school district No. 1 of the town of Seneca, Ontario county,” was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Mattoon	Norton
Beach	Folger	Hubbard	Morgan.	Stanford
Bradley	Genet	Humphrey	Morris	Van Petten
Campbell	Graham	Kennedy	Nicks	Williams
Creamer				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to do certain work in and about the Albany basin and the lock leading into the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford
Beach	Edwards	Kennedy	Nichols	Van Petten
Bradley	Genet	Mattoon	Nicks	Williams
Cauldwell	Hale	Morris	Norton	

19

FOR THE NEGATIVE.

Campbell	Folger	O'Donnell	
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the construction of a bridge across the Chenango canal in the village of Norwich," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	O'Donnell
Bradley	Folger	Humphrey	Murphy	Stanford
Campbell	Genet	Kennedy	Nichols	Van Petten
Cauldwell	Graham	Mattoon	Nicks	Williams
Creamer	Hale	Morgan	Norton	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society, of Mendon, Monroe county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Murphy	O'Donnell
Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Edwards	Humphrey	Nicks	Van Petten
Campbell	Genet	Kennedy	Norton	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Trustees for the management and care of the property for the support of the Episcopate of the diocese of Long Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Nicks
Beach	Edwards	Hubbard	Morris	O'Donnell
Bradley	Folger	Humphrey	Murphy	Stanford
Campbell	Graham	Kennedy	Nichols	Van Petten
Cauldwell				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Bowery Savings Bank,' passed May 1, 1834," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Mattoon	Nicks
Beach	Folger	Hubbard	Morgan	Norton
Campbell	Genet	Humphrey	Morris	O'Donnell
Cauldwell	Graham	Kennedy	Nichols	Van Petten

20

Mr. Norton moved to reconsider the vote upon the passage of above bill, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to change the corporate name of the First Congregational Society of the town of Pike, Allegany county, New York, to the First Presbyterian Society of the town of Pike, Wyoming county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	O'Donnell
Beach	Edwards	Hubbard	Morris	Stanford
Bradley	Genet	Humphrey	Nichols	Van Petten
Campbell	Graham	Kennedy	Nicks	Williams
Cauldwell				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act providing for the erection of a town hall, in the town of Morrisania, Westchester county,' passed April 13, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Norton
Beach	Crowley	Hale	Morris	O'Donnell
Bradley	Edwards	Hubbard	Murphy	Van Petten
Campbell	Folger	Humphrey	Nichols	Williams
Cauldwell	Genet	Kennedy	Nicks	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to increase the compensation of the supervisors of the counties of Broome and Allegany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Cauldwell	Genet	Murphy	Nicks	Van Petten 10

FOR THE NEGATIVE.

Campbell	Hale	Kennedy	Morris	Williams
Folger	Hubbard			

Mr. Humphrey moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	O'Donnell
Beach	Crowley	Hubbard	Murphy	Stanford
Campbell	Edwards	Humphrey	Nichols	Van Petten
Cauldwell	Genet	Kennedy	Nicks	Williams 20

FOR THE NEGATIVE.

Folger	1
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Mr. Humphrey moved to recommit said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The bill entitled "An act to incorporate 'The Academy of Music of the city of Albany,'" having been announced for a third reading.

Mr. Banks moved that said bill be recommitted to the committee on municipal affairs, for the purpose of correcting names of corporators named therein.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to extend the time for certain towns in the counties of Ulster, Delaware, Greene and Schoharie, to issue bonds and to take stock in the Rondout and Oswego railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Palmer
Beach	Edwards	Hubbard	Nicks	Stanford
Bradley	Genet	Kennedy	Norton	Van Petten
Campbell	Graham	Mattoon	O'Donnell	Williams
Cauldwell				

21

FOR THE NEGATIVE.

Folger Morgan

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to enable the electors of the town of Manchester, Ontario county, to hold their town elections in the separate election districts thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Palmer
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Kennedy	Nichols	Van Petten
Cauldwell	Genet	Mattoon	O'Donnell	Williams
Creamer	Graham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Banks, from the committee on municipal affairs, to which was recommended the bill entitled "An act to incorporate the 'Academy of Music in the city of Albany,'" reported the same back amended as directed by the Senate.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	O'Donnell
Beach	Crowley	Humphrey	Morris	Palmer
Bradley	Edwards	Kennedy	Nichols	Van Petten
Campbell	Folger	Mattoon	Nicks	Williams
Cauldwell	Hale			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies," having been announced for a third reading.

On motion of Mr. Nichols and by unanimous consent, said bill was amended by striking out in lines 14, 15 and 16, of section 2, the following words:

"Any person assessed on the rolls aforesaid, including lessees, trustees, guardians, and executors and administrators, shall be deemed the owners for the purposes of this act."

On motion of Mr. Kennedy and by unanimous consent, said bill was further amended by striking out in lines 20 and 21 of sec. 3, the words "and election districts."

And in line 4, section 4, the words "and the bonds of election districts."

Also by striking out the words "and personal" in lines 1 and 2 of sec. 7.

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Palmer
Bradley	Genet	Humphrey	Nichols	Stanford
Campbell	Graham	Kennedy	Norton	Van Petten
Cauldwell	Hale	Mattoon	O'Donnell	Williams
Creamer				

21

FOR THE NEGATIVE.

Morgan				
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to increase the compensation of the supervisors of the counties of Broome and Allegany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Norton
Beach	Edwards	Humphrey	Morris	Palmer
Bradley	Genet	Kennedy	Nichols	Van Petten
Cauldwell	Graham	Mattoon	Nicks	

19

FOR THE NEGATIVE.

Campbell	Folger	Hale	Williams	
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the trustees of the First Presbyterian Church and Society of the town of Perry, to convey certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Mattoon	Palmer
Bradley	Edwards	Humphrey	Morgan	Van Petten
Cauldwell	Genet	Kennedy	Nicks	Williams
Creamer	Graham			

17

FOR THE NEGATIVE.

Campbell	Folger	Morris	Nichols	Norton
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to alter the map or plan of the city of New York."

Mr. Mattoon moved that the bill be read.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Nichols	Van Petten	
Cauldwell	Humphrey	Morris	Norton	Williams	
Folger	Mattoon				12

FOR THE NEGATIVE.

Bradley	Edwards	Hale	Kennedy	Palmer	
Creamer	Graham	Hubbard	Nicks	Stanford	
Crowley					11

Pending the reading of the same, Mr. Mattoon moved that the further reading of the bill be dispensed with.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was referred to the committee on municipal affairs.

Mr. Williams moved that the following entitled bills, be recommitted to the committee on insurance companies:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24th, 1853."

"An act to regulate the forfeiture of policies of life insurance."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

After some time spent therein the President resumed the chair, and Mr. Mattoon, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Folger moved that said bill be made the special order, this evening at 7½ o'clock, and that a special session be held at that time for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Kennedy	Nicks	Van Petten	
Folger	Humphrey	Morgan	Palmer	Williams	10

FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Crowley	Hubbard	Murphy	O'Donnell	
Bradley	Edwards	Mattoon	Nichols	Stanford	
Cauldwell	Genet				17

On motion of Mr. Williams, the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Peck.

The journal of yesterday was read and approved.

Mr. Pierce presented a petition of citizens of Kings county, to extend the term of office of physician to the jail of Kings county, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Folger presented a petition of W. E. Talman, for the passage of a law to prevent legalizing scrip or stock dividends by officers of railroad companies, which was read and referred to the committee on railroads.

Messrs. Thayer and Stanford presented petitions of citizens of Washington county, in favor of a free bridge at Fort Edward, which were read and referred to the committee on roads and bridges.

Mr. Stanford presented a remonstrance of citizens of Moreau, upon same subject, which was read and referred to the committee on roads and bridges.

Mr. Banks presented a petition of the board of trade of Albany, in regard to the canals and canal management, which was read and referred to the committee on canals.

Mr. Edwards presented a petition of Samuel B. Gardiner, to exempt Gardiner's Island from assessment for highway labor, which was read and referred to the committee on roads and bridges.

Mr. Williams presented a remonstrance of citizens of Palmyra, against the law legalizing resolution of town meeting to pay Conway P. Clark for damages, which was read and referred to the committee of the whole.

Mr. Campbell moved that the committee on railroads be discharged from the further consideration of sundry petitions of citizens of New York, praying for repeal of charter of Elevated railway, and that the same be referred to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hale, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the trial of indictments," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Beaver River Boom Company, and to authorize the erection of piers and booms across Beaver river, in Lewis county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from the committee on the judiciary, to which was referred the bill entitled "An act extending the provisions of chapter 317 of the Session Laws of 1866, to certain other subordinate bodies of Freemasons," reported that they have made some amendments thereto, and amended the title so as to read, "An act to amend an act entitled 'An act to enable lodges and chapters of Free and Accepted Masons to take, hold and con-

vey real and personal estate,' passed April 2, 1866," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to enable the New York Elevator Company to complete its organization and commence business," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court, hereafter to be elected," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act fixing the time for the holding of elections for the election of trustees, town officers and members of the board of education of the school district of the town of Morrisania, county of Westchester, and for regulating such elections."

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the village of Dunkirk to issue bonds for the purpose of supplying said village with water, and to create a board of water commissioners," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Phenix Hook and Ladder Company No. 1 of Greenport, Suffolk county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate Arcade Hook and Ladder Company No. 1, at Arcade, Wyoming county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the making and opening of a road or avenue in the town of Greenbush, in the county of Westchester, to be known as and called Greenburgh avenue," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street, and Waverly street, in the town of West Farms,' passed March 31, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act for

the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester," passed May 19, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act for the relief of Richard M. Hoe and William Watson, commissioners under the act passed the 15th day of April, 1867, to grade, regulate and macadamize the southern highway in the towns of Westchester and West Farms," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company,' passed May 11, 1846, passed May 5, 1847,' passed May 26, 1852," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14, 1867, and extend and change the route of said road, and confer additional powers on the commissioners under said act," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for raising moneys for the payment of the improvements necessary to be made on the roads and bridges in the town of Ellicott, in the county of Chautauqua," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts of Selah Field, Alfred Bailey and Reuben W. Kirkham, commissioners of highways in and for the town of Southeast, county of Putnam, in the construction of a bridge on the highway from Jesse Haviland's to Drewville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act for the removal of Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Southern Tier Savings Bank,' in the city of Elmira, Chemung county," reported in favor of the passage

of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds issued by any incorporated city or village of this State, pursuant to any law of this State," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing water works," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to extend Lexington avenue, from 97th street to Harlem river, in the city of New York.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the rebuilding of a bridge over the Erie canal at Quince street, in the village of Geddes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the rebuilding of a bridge over the Erie canal at Bridge street, in the village of Geddes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the construction of an iron bridge across the Chenango canal at Eastville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a swing bridge over the Chenango canal at Sherburne, and the removal of the present bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to provide for draining wet lands, and to widen and deepen the Rio Grande stream in the village and town of Goshen," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the district attorney of Orange county, to appoint an assistant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds and take stock in any company now organized or that may be hereafter organized within five years after the passage of this act, for the purpose of building a railroad from Mechanicville, Saratoga county, to connect with the Rensselaer and Saratoga railroad in the town of Moreau, Saratoga county, or in the town of Fort

Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act for the better protection of the civil and religious rights of minors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to widen, open and improve Underhill avenue in the city of Brooklyn, for an approach to Prospect park in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceeding of the courts of this State,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to prevent the destruction of fish in Lake Mahopac," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to regulate the freight on milk on the New York and Harlem, Hudson River, and the New York and Erie railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to incorporate Oswego Harbor Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of Union street, in the city of Brooklyn, and for the collection of the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of Fourth avenue in the city of Brooklyn, and for the collection of the expenditure thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of the Gowanus canal in the city of Brooklyn, and for the collection of the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of the laying out and regulating of Atlantic avenue in the city of Brooklyn, authorized

by chapter 92 of the Laws of 1860, and the act amendatory thereof, and for the collection of the expenses directed by the said acts to be levied and collected upon the lands in said Avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to incorporate the Fulton Ferry Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The bill entitled "An act fixing the time for the holding of elections for the election of trustees, town officers and members of the board of education of the school district of the town of Morrisania, county of Westchester, and for regulating such elections," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Stanford
Campbell	Edwards	Kennedy	Nicks	Thayer
Cauldwell	Folger	Morgan	Norton	Van Petten
Chapman	Graham	Morris	Pierce	Williams
Creamer	Hale			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy offered the following resolution:

Resolved, That there be printed for the use of the Senate 300 copies of the list of members, officers and reporters of the Legislature, in document form, and thirty on card board.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Hale moved that the Senate go into executive session at 12½ o'clock, for the confirmation of notaries public.

Mr. Bradley moved to amend by striking out "12½" and inserting "one."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Hale as amended, and it was decided in the affirmative.

Mr. Williams moved that the bill entitled "An act to amend the charter of the village of Red Creek, in Wayne county," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Folger moved that the Senate hold a session this evening at 7½ o'clock, for the consideration of the bill entitled "An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Morgan	Thayer
Bradley	Crowley	Hubbard	Nicks	Van Petten
Campbell	Edwards	Kennedy	Palmer	Williams
Cauldwell	Folger	Mattoon		

18

FOR THE NEGATIVE.

Genet	Nichols	Pierce	3
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Mr. Genet moved to reconsider the vote recommitting the following entitled bills to the committee on insurance companies, and that said motion be laid upon the table:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to regulate the forfeiture of policies of life insurance."

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to amend the charter of the village of Red Creek, in Wayne county."

"An act to establish and incorporate the board of education of the Methodist Episcopal Church."

After some time spent therein the President resumed the chair, and Mr. Creamer, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Creamer, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the improvement of the navigation of the Racket river and of the Hydraulic power thereon, and to check freshets therein."

"An act to authorize the towns of Wilna, Champion, Rutland, Le Ray, Pamela, Watertown, Brownville and Hounsfield, in Jefferson county, to take stock and issue bonds therefor in aid of the Carthage, Watertown and Sacketts Harbor Railroad Company."

"An act to authorize the Flushing and North-Side Railroad Company to purchase the stock of the Flushing and Woodside Railroad Company, and to purchase a part of the New York and Flushing railroad, and to consolidate them into one corporation."

After some time spent therein the president resumed the chair, and Mr. Morris, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Morris, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Norton moved to take from the table the motion to reconsider the

vote upon the passage of the bill entitled "An act to amend the charter of the Bowery Savings Bank of the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Norton then withdrew his motion to reconsider.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 1:30 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the extension of the 'Clove Branch railroad,' and to facilitate its construction."

"An act to authorize the town of Manheim to raise money by tax to pay for the bridge at Ransom's creek."

"An act to provide for raising by tax on the taxable property in the town of Salem, Washington county, five thousand dollars by installments with annual interest, to be applied towards the construction of a new court house in said town."

After some time spent therein, the President resumed the chair, and Mr. Murphy, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Murphy, from the same committee, reported in favor of the passage of the last named bill without amendments, which report was agreed to and bill ordered engrossed for a third reading.

On motion of Mr. Folger, the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Palmer offered the following resolution:

Resolved, That the Superintendent of the Bank Department be requested to report to the Senate whether any, and if so what private stock companies organized under any of the Laws of this State or National Banks, if any, are using the name of and receiving deposits as savings banks, and whether any, and if so what legislation is in his judgment advisable for the better protection of depositors in and creditors of such companies, with such other suggestions as he may think proper to make upon this subject.

The Clerk put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented a communication from the Comptroller in reference to claims of soldiers of war of 1812, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 35.)

The President having announced the special order, being the bill entitled "An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

Mr. Murphy moved that it be postponed until to-morrow at 12 o'clock, and that it be made the special order for that hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Murphy	Norton	
Cauldwell	Graham	Morris	Nicks	Pierce	
Edwards	Hubbard				12

FOR THE NEGATIVE.

Folger	Mattoon	Palmer	Parker	Stanford	
Hale	Morgan				7

Mr. Murphy moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Murphy	Pierce	
Cauldwell	Graham	Morgan	Nicks	Stanford	
Edwards	Hubbard	Morris	Norton		14

FOR THE NEGATIVE.

Folger	Hale	Mattoon	Palmer	Parker	5
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Whereupon the Senate adjourned.

THURSDAY, FEBRUARY 11, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Nichols presented a petition of citizens of Erie county, to extend the charter of the Buffalo Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. Murphy presented a memorial of Isaac Van Anden and Thomas Kinsella, asking the passage of an act extending the term of office of the present storekeeper of Kings county, which was read and referred to the committee on internal affairs of towns and counties.

Also a resolution of the board of supervisors of Kings county, making the office of general storekeeper, at the alms house in said county, three years, and continuing the present incumbent for that time, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Folger presented resolutions of supervisors of Ontario county, asking repeal of boiler inspection bill, which were read and referred to the committee on the judiciary.

Mr. Genet presented a petition of Henry L. Hoquet, for alteration of map or plan of the city of New York, which was read and referred to the committee on municipal affairs.

Mr. Folger presented resolutions of supervisors of Ontario county, for repeal of militia law, which were read and referred to the committee on militia and public defence.

Mr. Hale, from the committee on claims, to which was referred the petitions of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley, for relief, reported by bill entitled "An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chapman, from the committee on claims, to which was referred the petition of Ovid Plumb and others, for relief, reported in writing, and by bill entitled "An act for the relief of Ovid Plumb and others," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 33.)

Mr. Morgan, from the committee on railroads, to which was referred the bill entitled "An act for the relief of the Rochester City and Brighton Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the rebuilding of the free bridge over the Hudson river between the towns of Fort Edward in the county of Washington, and Moreau in the county of Saratoga, where the present bridge is now located, and making the maintenance thereof a charge on said towns," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to establish and incorporate the board of education of the Methodist Episcopal Church."

"An act to authorize the towns of Wilna, Champion, Rutland, Le Ray, Pamela, Watertown, Brownville and Hounsfield, in Jefferson county, to take stock and issue bonds therefor in aid of the Carthage, Watertown and Sackett's Harbor Railroad Company."

"An act to amend the charter of the village of Red Creek, in Wayne county."

"An act to provide for raising by tax on the taxable property in the town of Salem, Washington county, five thousand dollars by installments with annual interest, to be applied towards the construction of a new court house in said town."

"An act to authorize the town of Manheim to raise money by tax to pay for the bridge at Ransom's creek."

"An act to authorize the extension of the 'Clove Branch railroad' and to facilitate its construction."

"An act to provide for the improvement of the navigation of Racket river and of the hydraulic power thereon, and to check freshets therein."

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the New York State Institution for the Blind, reported in favor of the adoption of the following resolution:

Resolved, That 500 copies of the report of the Trustees of the New

York State Institution for the Blind, be printed for the use of the said Trustees, and 1,000 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Trustees of the New York State Asylum for Idiots, reported in favor of the adoption of the following resolution :

Resolved, That there be printed of the annual report of the Trustees of the New York State Asylum for Idiots, 500 copies for the use of the Trustees and Superintendents thereof, and 1,000 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Trustees of the Astor Library, reported in favor of the adoption of the following resolution :

Resolved, That there be printed of the annual report of the Trustees of the Astor Library, 500 copies for the use of the Trustees, and 1,000 for the use of the Senate.

Mr. Morgan moved to amend by striking out "1,000" and inserting "200."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Mr. Mattoon moved that the contract for Legislative printing be printed for the use of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 36.)

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the list of members and officers of the Legislature, reported in favor of the adoption of the following resolution :

Resolved, That there be printed for the use of the Senate, 300 copies of the list of members, officers and reporters of the Legislature, in document form, and thirty on card board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide additional buildings for lunatics in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bradley moved that said bill be referred to the first committee of the whole, to-morrow.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly sent for concurrence a resolution, in the words following :

IN ASSEMBLY, February 10, 1869.

Whereas, A well instructed militia is necessary to the security of a free people; and whereas, the Cornell University, by its national endowment and by State laws, is under obligations to provide instruction in military tactics for its students, whereby it may be expected to become a nursery for educated and competent officers and instructors of the militia of the State; and whereas, this object cannot be successfully accomplished without arms and equipage adapted to the ends of said instruction;

Resolved, (if the Senate concur,) That the Governor be, and he hereby is authorized and directed to issue from the State arsenals to the military professor of that university, or to his military assistant, upon requisitions approved by the President thereof, such ordnance and ordnance stores, and such camp and garrison equipage as may from time to time be necessary for the purposes of instruction in military tactics; and in case suitable arms and equipage are not on hand in the State arsenals, to procure the same by requisition on the General Government; provided, that the public property so issued to the Cornell University shall be accounted for by the officer receiving the same, according to the militia laws of the State; and provided further, that the Governor may confer upon the professor of military science of the Cornell University, the commission of colonel, and upon his military assistant the commission of major of the corps of Cornell cadets, as organized for military instruction under university authority; said commission to confer no claim for pay or other allowances from the State.

Ordered, That said resolution be laid on the table.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same, without amendment:

"An act to authorize the 'Devoe and Pratt Manufacturing Company' to change its name."

"An act to legalize the acts of James Johnston, a justice of the peace of Lewis county, and to continue him in office for the term for which he was elected."

"An act to legalize the acts of Joseph Gutman, jr., as notary public."

"An act to permit the Fulton Manufacturing Company to reduce the number of its trustees, and to amend the articles of association of said company for that purpose."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to Normal schools,'" reported in favor of the passage of the same with amendments.

On motion of Mr. Morris and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Stanford
Bradley	Crowley	Humphrey	Nichols	Tweed
Cauldwell	Edwards	Morgan	Nicks	Van Petten
Chapman	Genet	Morris	Norton	

19

FOR THE NEGATIVE.

Folger	Kennedy	Mattoon	Thayer	Williams	5
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Mr. Mattoon moved to reconsider the vote on said bill, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to complete the High Service works at Carmansville, in the city of New York, and to provide means for the same,' passed April 3, 1867; and also to amend an act entitled 'An act to facilitate the acquisition of lands for the extension of the Croton Aqueduct waterworks, and for the construction of impounding or storage reservoirs in the counties of Putnam and Westchester, and to authorize the mayor, aldermen and commonalty of the city of New York, to borrow three hundred thousand dollars for the purposes aforesaid,' passed April 3, 1865; and also to amend an act entitled 'An act to authorize the corporation of the city of New York to borrow further sums of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the laying out and opening of a highway in the town of Flatbush, in continuation of East New York avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend section 29 of article 1, title 4, chapter 2, part 4 of the Revised Statutes, and authorizing foreman of grand juries to issue subpoenas and compel the attendance of witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend certain sections of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the superintendent of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to incorporate the Trustees of the Wadsworth Library," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to provide for the further endowment of Genesee college, and for the removal thereof in certain contingencies, and to amend the charter of said college," which was read the first time, and by unanimous consent was also read the second time.

Mr. Humphrey moved that said bill be referred to the committee of the whole and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to legalize the acts of John M. Beach and Mason Walters, as commissioners of highways of the town of Genesee, and David Ayrault, as commissioner of Liecester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1, 1854,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Van Petten, asked and obtained leave to introduce a bill entitled "An act reappropriating a certain portion of the income of the United States Deposit Fund for the benefit of academies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act in relation to the review by assessors of their assessment rolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Real Estate Banking Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the board of education for the city and county of New York to establish a Nautical school," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate The Deaconess Institution of the Evangelical Lutheran Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to provide for vacancies in the office of notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the Passenger Transit Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to impose tolls on certain railroads, and to increase the revenues of the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend the charter of the village of Red Creek, in Wayne county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Folger	Kennedy	Nicks	Stanford
Bradley	Graham	Morgan	Norton	Tweed
Cauldwell	Hale	Morris	O'Donnell	Williams
Crowley				

21

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to establish and incorporate the board of education of the Methodist Episcopal Church," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Folger	Mattoon	Nicks	Van Petten
Chapman	Hale	Morgan	O'Donnell	Williams
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act requiring the accounts of the superintendents of the poor of Allegany county to be audited by a committee of the board of supervisors in the same manner as the accounts of other officers and persons," having been announced for a third reading;

On motion of Mr. Humphrey and by unanimous consent, said bill was amended by striking out in section 1, the words "committee appointed by." Also amend the title by striking out the words "a committee of."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Mattoon	Nicks	Stanford
Chapman	Hale	Morgan	Norton	Tweed
Creamer	Humphrey	Morris	O'Donnell	Van Petten
Edwards	Kennedy	Nichols	Parker	Williams
Folger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the improvement of the navigation of the Racket river and of the hydraulic power thereon, and to check freshets therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	O'Donnell	Thayer
Beach	Graham	Morris	Parker	Tweed
Cauldwell	Hale	Nichols	Pierce	Van Petten
Chapman	Kennedy	Norton	Stanford	Williams
Creamer	Mattoon			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the town of Manheim to raise money by tax to pay for the bridge at Ransom's creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Stanford
Beach	Edwards	Kennedy	Norton	Thayer

Cauldwell	Folger	Mattoon	O'Donnell	Van Petten
Chapman	Graham	Morgan	Parker	Williams
Creamer	Hale	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the towns of Wilna, Champion, Rutland, Le Ray, Pamela, Watertown, Brownville and Hounsfield, in Jefferson county, to take stock and issue bonds therefor in aid of the Carthage, Watertown and Sackett's Harbor Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Parker	Thayer
Cauldwell	Graham	Morris	Pierce	Van Petten
Creamer	Hale	O'Donnell	Stanford	Williams
Edwards	Humphrey			

17

FOR THE NEGATIVE.

Chapman	Crowley	Folger	Morgan
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Flushing and North-Side Railroad Company to purchase the stock of the Flushing and Woodside Railroad Company, and to purchase a part of the New York and Flushing railroad and to consolidate them into one corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Parker	Tweed
Chapman	Graham	Morgan	Pierce	Van Petten
Creamer	Hale	Morris	Stanford	Williams
Edwards	Humphrey			

22

FOR THE NEGATIVE.

Crowley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the extension of the 'Clove Branch railroad' and to facilitate its construction," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Tweed
Beach	Genet	Kennedy	O'Donnell	Van Petten

Cauldwell	Graham	Morgan	Stanford	Williams	
Edwards	Hale	Morris	Thayer		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for raising by tax on the taxable property in the town of Salem, Washington county, five thousand dollars by installments with annual interest, to be applied towards the construction of a new court house in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer	
Beach	Folger	Mattoon	O'Donnell	Tweed	
Cauldwell	Graham	Morgan	Parker	Van Petten	
Chapman	Hale	Morris	Stanford	Williams	
Crowley	Humphrey	Nichols			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morris moved to take from the table the motion to reconsider the vote upon the passage of the bill entitled "An act to amend an act entitled 'An act in regard to Normal schools,' passed April 7, 1860."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows.

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Morgan	Norton	
Beach	Edwards	Humphrey	Morris	Parker	
Cauldwell	Folger	Kennedy	Murphy	Stanford	
Chapman	Genet	Mattoon	Nichols	Van Petten	
Creamer					21

On motion of Mr. Morris and by unanimous consent, said bill was amended by striking out the word "nine" in section 1, and inserting in lieu thereof the word "thirteen."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nichols	Stanford	
Beach	Graham	Morgan	Norton	Tweed	
Cauldwell	Hale	Morris	Parker	Van Petten	
Edwards	Humphrey	Murphy			18

FOR THE NEGATIVE.

Chapman	Crowley	Folger	Kennedy	Williams	6
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan moved to take from the table the resolution, in the words following:

Resolved, That the debates of the Senate, reduced by the Stenographer to a form which embodies and preserves the substance thereof, be published in the form of a permanent record; the same to be published under the direction of the Clerk of the Senate.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Mattoon moved to strike out the words "Clerk of the Senate" and insert "committee on public printing."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Morgan moved that said resolution be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Kennedy offered the following resolution:

Resolved, That a respectful message be sent to the honorable the Assembly, asking the transmission to this body of all petitions and papers on file in the House relating to the removal of the Genesee college.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled 'An act in regard to Normal schools,' passed April 7, 1866."

Mr. Kennedy offered the following resolution:

Resolved, (if the Assembly concur,) That the officers and reporters of the Senate and Assembly, clerks of committees of Senate and Assembly, and clerks of the Executive and State departments, be allowed to draw books from the general library of the State, in the same manner that members of the Senate and Assembly and heads of departments now draw books from said library.

Ordered, That said resolution be laid on the table.

Mr. Chapman offered the following resolution:

Resolved, That Alfred B. Street be employed as clerk of the committee on literature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Norton	Stanford	
Beach	Creamer	Kennedy	Parker	Van Petten	
Cauldwell	Genet	Nichols			13

FOR THE NEGATIVE.

Edwards	Mattoon	Murphy	Pierce	Thayer	
Folger					6

Mr. Stanford offered the following resolution:

Resolved, That the petition and papers in relation to claim of Wm. McClary, be taken from the files and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to facilitate the construction

of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles."

"An act to authorize The Society for the Relief of Poor Widows with Small Children, to take and hold real and personal property."

"An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

After some time spent therein the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Mattoon, from the same committee, reported progress on the last named bill and asked and obtained leave to sit again.

On motion of Mr. Bradley, the Senate adjourned.

FRIDAY, FEBRUARY 12, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Nichols presented a petition of St. Vincent's Female Orphan Asylum, and others, for State aid, which was read and referred to the committee on finance.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Samuel B. Gardiner for exemption of Gardiner's Island from taxation for highway labor, reported by bill entitled "An act to exempt Gardiner's Island from assessment for highway labor," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 404 of the Laws of 1868, relative to building a bridge at Fort Covington," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to enable the town of Waddington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Prospect Park Hotel Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize The Society for the Relief of Poor Widows with Small Children, to take and hold real and personal property."

"An act to amend an act entitled 'An act to facilitate the construction

of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles."

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend the charter of the village of Red Creek, in Wayne county."

"An act to amend an act entitled 'An act in regard to Normal schools,' passed April 7, 1866."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act to confirm the title of Samuel E. Simonds to certain land in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to settle the claim of Thomas D. Gilson, a former clerk of Clinton prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act authorizing the General Theological Seminary of the Protestant Episcopal Church in the United States to confer honorary degrees in theology," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the 'Andrew Jackson Club' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' passed May 5, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate 'The Flushing Library Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act in relation to the opening of roads through lands devoted to vineyards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and enlarge the powers of their trustees, and to provide for the government and business of said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act making the waters of Harrison creek in the town of Canton, St. Lawrence county, a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Binghamton railroad, and to become stockholders therein," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to release and convey the interest of the people of the State of New York in certain real estate in the town of Highland, in the county of Sullivan, to the widow and the heirs of Christian Metzger, deceased, and to enable them to take, hold and dispose of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the election of police commissioners in the city of Syracuse, and to establish a police force therein," which was read the first time, and by unanimous consent was also read the second time.

Mr. Kennedy moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

"An act to provide for the drainage of certain low lands in the town of Ira, in the county of Cayuga, and in the town of Hannibal, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act providing for the taking of affidavits in other States, to be used in this State, and authorizing attorneys of courts of record in this State to take affidavits to be used in such courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to facilitate the service of civil process upon non-resident stockholders and the personal representatives of deceased stockholders of insolvent corporations, and joint stock companies in actions now authorized by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release to Susan Quinn the interest of the people of the State of New York in certain lands of which John Quinn died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the official acts of certain town officers in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the board of education of school district No. 1 in the town of Sherman, Chautauqua county, to borrow money for the purpose of purchasing a site and building a school house thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act in relation to the collection of taxes in the town of Lisbon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hale, from the select committee appointed in pursuance of a resolution of the Senate adopted on the 10th April, 1868, to investigate charges of bribery upon measures relative to railway companies, submitted the following report:

To the Senate: The committee appointed in pursuance of the resolutions of your honorable body, adopted April 10, 1868, and May 1, 1868, to investigate certain charges of bribery upon measures relating to rail-

way companies, respectfully report, that they have taken a large amount of testimony upon the subject of the investigation, and would now be prepared to close the evidence with a view to making their report, but for the failure of certain witnesses to attend in obedience to the subpoena issued by the chairman of your committee. Your committee have reason to believe, from the evidence before them, that Mr. Henry Thompson of New York has knowledge on the subject of the investigation, and that the testimony should not be closed without his evidence.

Mr. Thompson has been twice subpoenaed to attend before your committee, as will appear by the verified returns of the officers of the Senate herewith presented, but has failed to obey such subpoena and has offered no excuse for such failure.

Your committee therefore submit the matter to the Senate and request that the Sergeant-at-Arms may be directed to take the said witness into custody to be brought before the bar of the Senate to be dealt with as your honorable body shall deem proper; or that your honorable body may take such other action in the premises as may seem expedient.

Dated February 12, 1869.

M. HALE, *Chairman*.

Mr. Hale offered the following resolution:

Whereas, It appears by the sworn returns of John H. Kemper and George H. Knapp, officers of the Senate, that Henry Thompson of the city of New York was duly subpoenaed to attend before the select committee of the Senate, appointed in pursuance of resolutions of the Senate, adopted April 10, 1868, and May 1, 1868, and it appears by the report of the chairman of the said committee that said Thompson has failed to obey said subpoena;

Resolved, That a writ of attachment issue to the Sergeant-at-Arms of the Senate, commanding him to seize and bring the said Henry Thompson before the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of John M. Beach and Marvin Walters, as commissioners of highways of the town of Geneseo, and David Ayrault, as commissioner of the town of Leicester," reported that they have come to the conclusion to substitute a bill entitled "An act to authorize and require the board of supervisors of the county of Livingston to audit and allow the claim of George W. Phelps for repairing a bridge over the Genesee river at Cuylerville, and to levy a tax for the payment of the amount allowed thereon," and recommend the passage of the same; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery; to sell a portion of their lands and to provide for compensation of lot owners," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution, in the words following:

Resolved, (if the Senate concur,) That the joint rules of the last Legislature be adopted as the rules of the present session, until otherwise ordered.

Ordered, That said resolution be laid on the table.

Also, the following:

Whereas, during the year 1864, while the persons and armies employed

in rebellion were exerting every power and influence to accomplish the dismemberment of this country and the overthrow of our government, and the requirement became urgent and imperative for additional forces to resist the attempted usurpation by the so-called Confederate States, the Federal Government pledged itself by specific legislative enactment, and guaranteed to each volunteer mustered into the service of the United States, a bounty of \$100, for the term of one year, unless sooner discharged; and whereas, the fourteenth amendment to the Federal Constitution ordains expressly that the validity of debts incurred for payment of pensions and bounties for services rendered in suppression of the rebellion shall not be questioned; and whereas, the Federal authorities have continued to withhold one-third of the amounts claimed by such volunteers, on the pretext that such volunteers were discharged before the expiration of the year, such volunteers having entered the service in good faith; therefore,

Resolved (if the Senate concur), That in the judgment of the Legislature of the State of New York, good faith on the part of the Federal Government requires that provision should be made and legislation had from Congress for the full payment of proffered bounties to soldiers enlisting as aforesaid, who served for at least three-fourths of the time specified.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be hereby requested to lay this subject before that body, and use their best endeavors to procure the requisite legislation.

Resolved (if the Senate concur), That copies of the foregoing preamble and resolutions be forwarded to each of our Senators and Representatives from this State.

Ordered, That said resolution be laid on the table.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to provide for grading and improving Center street, and making a sidewalk therein, and lighting the same, in the village of Peekskill, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Parker
Beach	Chapman	Hale	Morgan	Stanford
Bradley	Creamer	Humphrey	Nichols	Thayer
Campbell	Edwards	Kennedy	Nicks	Van Petten

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize The Society for the Relief of Poor Widows with Small Children, to take and hold real and personal property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Parker	Williams
Cauldwell	Hale			

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Tweed moved that the committee on literature be discharged from the further consideration of the bill entitled "An act to authorize the formation of a nautical school in the city and county of New York," and that the same be referred to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman called for the consideration of the concurrent resolution relative to furnishing ordnance and ordnance stores to the Cornell University.

Mr. Nichols moved to refer said resolution to the committee on militia and public defense, and that it be printed.

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the affirmative.

Mr. Kennedy called for the consideration of the concurrent resolution, as follows:

Resolved, (if the Assembly concur,) That the officers and reporters of the Senate and Assembly, clerks of committees of Senate and Assembly, and clerks of the Executive and State departments, be allowed to draw books from the general library of the State, in the same manner that members of the Senate and Assembly and heads of departments now draw books from said library.

Mr. Kennedy moved to refer said resolution to the joint library committee.

The President put the question whether the Senate would agree to said motion of Mr. Kennedy, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide additional buildings for lunatics in the city of New York."

Assembly, "An act to authorize the election of police commissioners in the city of Syracuse, and to establish a police force therein."

"An act to provide for the submission to the people of the Constitution

proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the election of police commissioners in the city of Syracuse, and to establish a police force therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Stanford
Beach	Creamer	Hale	Nichols	Thayer
Bradley	Crowley	Humphrey	Parker	Tweed
Campbell	Edwards	Kennedy	Pierce	Van Petten
Cauldwell				

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On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and said bill ordered returned to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend section 1 of chapter 404 of the Laws of 1868, relative to building a bridge at Fort Covington," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford
Beach	Creamer	Humphrey	Nicks	Thayer
Bradley	Folger	Mattoon	Parker	Tweed
Campbell	Graham	Murphy	Pierce	Van Petten
Cauldwell				

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to authorize the election of police commissioners in the city of Syracuse, and to establish a police force therein," with a message that they have concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

On motion of Mr. Mattoon, the Senate adjourned.

MONDAY, FEBRUARY 15, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Frankel.

The journal of Friday, February 12, was read and approved.

Mr. Banks presented a petition of residents and others on Troy and Albany road, for a police on said road, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to provide additional buildings for lunatics in the city of New York."

The Assembly sent for concurrence the bills entitled as follows :

"An act to legalize the official acts of Edward B. White, a justice of the peace, and to continue him in office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to open certain streets in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate Billy J. Clark Division No. 102, Sons of Temperance of the Grand Division of Eastern New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate Tioga Hose Company No. 1, of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing and confirming the sale of lots by Green Hill Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 334 of Laws of 1866, entitled 'An act in relation to the Troy and Albia Horse Railroad Company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the place of trial of certain offenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the Canal Commissioners to contract the raising of the road bed in the town of Fort Ann, and providing for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend the charter of the village of Union Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Mattoon gave notice that he would, at an early day, ask leave to

introduce a bill to authorize the fire department of the city of Oswego to hold real estate.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to enable the supervisors of the county of Greene to issue bonds of said county to refund taxes illegally collected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to enable the board of public instruction in the city of Albany to obtain sites for school houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to incorporate the Trustees for the management and care of the property for the support of the Episcopate of the diocese of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to revise and continue in force an act entitled 'An act to establish a steam-ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Hale asked and obtained leave to introduce a bill entitled "An act for the more effectual suppression and punishment of bribery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15th, 1857, and revived by an act passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act for the protection of bridges over the Chemung river at the town of Corning, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to define more particularly the powers of the Commissioners of the Land Office."

"An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers."

"An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany."

After some time spent therein the president resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Nicks, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the payment of the State Assessors for their services and expenses for the year 1868."

"An act to authorize the city of Binghamton to widen the bridge over the Chenango canal at Court street, in said city."

"An act to authorize the payment by the town of Afton to the commissioners for the erection of a new bridge in said town to the amount expended by them for extra anchors for said bridge."

After some time spent therein the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Williams, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act respecting the extension of the charters of certain insurance companies."

Assembly, "An act to legalize the action of the town meeting of the town of Palmyra, Wayne county, held on the third day of March, 1868."

"An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees and raising money by tax for new court house."

After some time spent therein the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act to amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering and repairing of buildings in the city of New York,' passed May 5, 1863."

After some time spent therein the President resumed the chair, and Mr. Van Petten, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Van Petten, from the same committee, reported in favor of the passage of the two last named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

On motion of Mr. Banks, the Senate adjourned.

TUESDAY, FEBRUARY 16, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. McAdam.

The journal of yesterday was read and approved.

Mr. Nichols presented a petition of George B. Efner for relief, which was read and referred to the committee on claims.

Mr. Pierce presented a remonstrance of citizens of Lisbon, St. Lawrence county, against changing the law respecting the collecting of taxes in said town, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Bradley presented a petition of Emigrant Industrial Savings Bank, for amendment of charter, which was read and referred to the committee on banks.

Mr. Morgan presented a petition for an act to incorporate East-Side Savings Bank, in Rochester, which was read and referred to the committee on banks.

Mr. Palmer presented a petition of common council and of tax-payers of Hudson, for the passage of an act to provide for equalization of the assessments in the county of Columbia by commissioners, which was read and referred to the committee on finance.

Mr. Folger presented a remonstrance of citizens of Yates county, against Penn Yan and Branchport Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. Van Petten presented a petition of Abel J. Pratt and other citi-

zens of the the towns of Middlefield and Westford, Otsego county, for a law to authorize change of direction of Westville creek, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Tweed presented a petition of Mt. Sinai Hospital, for 1869, for aid, which was read and referred to the committee on finance.

Mr. Creamer presented a petition of East-Side Association, against the passage of a bill entitled "An act to prevent frauds in local improvements in the city of New York," which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to provide for the payment of the State Assessors for their services and expenses for the year 1868."

"An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers."

"An act to define more particularly the powers of the Commissioners of the Land Office."

"An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany."

"An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering and repairing of buildings in the city of New York,' passed May 5, 1863."

"An act to amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act respecting the extension of the charters of certain insurance companies."

"An act to authorize the payment by the town of Afton to the commissioners for the erection of a new bridge in said town to the amount expended by them for extra anchors for said bridge."

"An act to authorize the city of Binghamton to widen the bridge over the Chenango canal at Court street, in said city."

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act reappropriating a certain portion of the income of the United States deposit fund for the benefit of academies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to extend the time for the collection of money by installments in the union free school district No. 1, of the village of Catskill," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864, as amended by subsequent acts," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate Tiger Hose Company No. 1, of the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks from the committee on roads and bridges, to which was referred the bill entitled "An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same," reported that they have made some amendments thereto and amended the title so as to read as follows: "An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same, and requiring said town to apply the said money to the payment of bonds issued by said town for the building of a bridge over the Chemung river," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the opening of roads through lands devoted to vineyards," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Willis B. Sayre and others for relief, reported in writing, and by bill entitled "An act for the relief of Willis B. Sayre, Julia M. Maxwell, Eloisa O. Beebe, James M. Sayre and Frances E. McHenry, heirs-at-law of Matthew Sayre, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 40.)

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to evidence in criminal proceedings," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The President presented a communication from the Superintendent of the Bank Department, relative to funds of safe deposit companies, savings banks, &c., in reply to a resolution of the Senate adopted on the 10th inst., which was laid on the table and ordered printed.

(See Doc. No. 39.)

The President presented the annual report of the Canal Appraisers, which was laid on the table and ordered printed.

(See Doc. No. 56.)

Mr. Folger offered the following resolution:

Resolved, That 700 extra copies of the annual report of the Canal Appraisers be printed—450 for the use of the Senate, and 250 for the use of the Appraisers—the last 250 to be bound in boards.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New York and Long Island Bridge Company for the purpose of constructing and maintaining a bridge over the East river between the cities of New York and Queens county,' passed April 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county," which was read the first time, and by unanimous consent was also read the second time.

Mr. O'Donnell moved to refer said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act authorizing fire insurance companies to loan certain funds upon real estate in other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the Central Free Baptist Printing Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act for the relief of Charles H. Collamer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide for the equalization of the assessments in the county of Columbia by commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Fire Proof Warehousing Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in James slip and Chambers street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to incorporate the East-Side Savings Bank of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to amend 'An act to incorporate the city of Elmira,' passed April 7, 1864, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act relating to the foreclosure and sale of the New York and Westchester County railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize Smith and Parmelee Gold Com-

pany to issue a preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act for the relief of Nicholas Van De Bogert and Giles Van De Bogert," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in Broadway, Lexington avenue, and certain other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to provide additional buildings for lunatics in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	O'Donnell	Thayer
Bradley	Folger	Mattoon	Palmer	Tweed
Campbell	Genet	Morgan	Pierce	Van Petten
Cauldwell	Hale	Nichols	Stanford	Williams
Oremer				

21

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nichols	Thayer
Beach	Creamer	Hale	O'Donnell	Tweed
Bradley	Crowley	Humphrey	Palmer	Van Petten
Campbell	Edwards	Mattoon	Stanford	Williams
Cauldwell	Folger	Morgan		

23

Mr. Crowley moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	O'Donnell	Thayer
Beach	Crowley	Humphrey	Palmer	Tweed
Campbell	Edwards	Mattoon	Pierce	Van Petten
Cauldwell	Genet	Morgan	Stanford	Williams

20

FOR THE NEGATIVE.

Bradley	Folger
---------	--------

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the payment of the State Assessors for their services and expenses for the year 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	O'Donnell	Thayer
Beach	Crowley	Morgan	Palmer	Tweed
Bradley	Edwards	Nichols	Pierce	Van Petten
Campbell	Folger	Nicks	Stanford	Williams
Cauldwell	Hale			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Stanford
Beach	Chapman	Mattoon	O'Donnell	Thayer
Bradley	Folger	Morgan	Palmer	Van Petten
Campbell	Hale	Nichols	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the city of Binghamton to widen the bridge over the Chenango canal, at Court street in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Pierce	
Beach	Creamer	Humphrey	Nicks	Stanford	
Campbell	Edwards	Mattoon	O'Donnell	Tweed	
Cauldwell	Folger	Morgan	Palmer	Williams	20

FOR THE NEGATIVE.

Bradley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the payment by the town of Afton to the commissioners for the erection of a new bridge in said town to the amount expended by them for extra anchors for said bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Palmer	
Beach	Creamer	Hale	Nichols	Stanford	
Bradley	Crowley	Humphrey	Nicks	Thayer	
Campbell	Edwards	Mattoon	O'Donnell	Tweed	
Cauldwell	Folger				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act respecting the extension of the charters of certain insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Tweed	
Bradley	Crowley	Hale	Nicks	Williams	
Campbell	Edwards	Humphrey	Stanford		14

FOR THE NEGATIVE.

Folger Mattoon Palmer Thayer 4

Mr. Hale moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to legalize the action of the town meeting of the town of Palmyra, Wayne county, held on the third day of March, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford	
Bradley	Crowley	Humphrey	Nicks	Thayer	
Campbell	Edwards	Mattoon	O'Donnell	Tweed	
Cauldwell	Genet	Morgan	Pierce	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Thayer	
Beach	Genet	Morgan	Palmer	Tweed	
Cauldwell	Hale	Nichols	Pierce	Van Petten	
Chapman	Humphrey	Nicks	Stanford	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Thayer offered the following resolution:

Resolved, That a respectful message be sent to the honorable the Assembly, asking them to transmit to the Senate the papers on their files relating to the claim of Charles H. Collamer for canal damages, and that when received the papers be referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger called for the consideration of the concurrent resolution, as follows:

Resolved, (if the Senate concur,) That the joint rules of the last Legislature be adopted as the rules of the present session, until otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to change the name of the 'Young Men's Hebrew Benevolent Association in the city of New York.'"

"An act to amend title 12, chapter 20, part 1st of the Revised Statutes, entitled 'Of wrecks.'"

"An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county."

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported in favor of the passage of

the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Stanford, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	O'Donnell	Thayer	
Bradley	Crowley	Humphrey	Palmer	Tweed	
Campbell	Edwards	Mattoon	Pierce	Van Petten	
Cauldwell	Genet	Nichols	Stanford	Williams	20

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended and said bill ordered delivered to the Assembly for their concurrence.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to release to Catharine Smith and her assigns, the interest of the State of New York in certain lands of which John Smith died seized."

"An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees and raising money by tax for new court house."

"An act to enable the 'New York Elevator Company' to complete its organization and commence business."

After some time spent therein the President resumed the chair, and Mr. O'Donnell, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to facilitate the trial of indictments."

Assembly, "An act to amend section 49 of article 3 of title 1 chapter 6 of part 2 of the Revised Statutes, relative to inheritance."

"An act to incorporate the Phenix Hook and Ladder Company No. 1, of Greenport, Suffolk county."

After some time spent therein the President resumed the chair, and Mr. Palmer, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Palmer, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county."

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court hereafter to be elected."

"An act to incorporate 'Arcade Hook and Ladder Company No. 1, of Arcade, Wyoming county.'"

Assembly, "An act to provide for raising moneys for the payment of the improvements necessary to be made on the roads and bridges in the town of Ellicott, in the county of Chautauqua."

"An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1836."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Bradley, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the third named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 772 of the Laws of 1866, entitled "An act to incorporate the Niagara Ship Canal Company," passed April 24, 1866.

Mr. Edwards moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," and that the same be recommitted to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called Greenburgh avenue.

"An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms,' passed March 31, 1868."

"An act to amend an act entitled 'An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester,' passed May 19, 1868."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Cauldwell offered the following resolution:

Whereas, It appears from the journal of the Senate that during the last session there was ordered to be printed "for the use of the Senate," the following documents, viz:

500	copies	of report of State Prison Inspectors.
2,000	do	do Commissioner to Paris Exposition.
1,500	do	do Regents of University.
500	do	do Proceedings of University Convocation.
500	do	do Institution of Deaf and Dumb.
1,500	do	do Professor Dalton.
800	do	do Hudson River State Hospital.
1,000	do	do Com. of Antietam National Cemetery.
500	do	do on State Cabinet of Natural History.
500	do	do of Quartermaster General.
480	do	do Transactions N. Y. State Agricult'l Society.
480	do	do Transactions American Institute.

And whereas, the number of copies of each of the foregoing documents thus far received by each member (as shown on the printed list received from the Secretary of State), is as follows:

1	copy	of report of Commissioners to Paris Exposition.
6	copies	do Regents of University.
1	copy	do Regents of University Convocation.
10	copies	do Dr. Dalton on Abortion in Cows.
3	do	do Com. on Antietam National Cemetery.
1	copy	do on State Cabinet of Natural History.
2	copies	do of Quartermaster General.

Therefore, be it resolved, That the Comptroller be requested to report to the Senate, whether the claims for printing the documents ordered for the use of the Senate have been presented to him, and the number of copies of each that appear to have been printed, and that the Secretary of State be requested to report the number of copies of the aforesaid documents received at his office.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to legalize and confirm the acts of Selah Field, Alfred Bailey and Reuben W. Kirkham, commissioners of highways in and for the town of Southeast, county of Putnam, in the construction of a bridge in the highway running from Jesse Haviland's to Drewville."

"An act for the relief of Richard M. Hoe and William Watson, commissioners, under the act passed the 15th day of April, 1867, to grade, regulate and macadamize the southern highway, in the towns of Westchester and West Farms."

"An act to amend an act entitled 'An act to provide for laying out and

opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867."

After some time spent therein the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the two last named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company,' passed May 11, 1846, passed May 5, 1847,' passed March 25, 1852."

"An act to incorporate the Southern Tier Savings Bank, in the city of Elmira, Chemung county.

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billingham and John G. Wormley."

After some time spent therein the President resumed the chair, and Mr. Cauldwell, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Cauldwell, from the same committee, reported progress on the last named bill and asked and obtained leave to sit again.

On motion of Mr. Genet, the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mayer.

The journal of yesterday was read and approved.

Mr. Folger presented a petition of William W. Clarke and others, for a savings bank in Canandaigua, which was read and referred to the committee on banks.

A message from His Excellency the Governor was received and read, in the words following:

To the Senate: I return without my signature an act entitled "An act to amend section 1 of chapter 404 of the Laws of 1868, relative to building a bridge at Fort Covington."

The original act authorized the commissioners of highways of the town to borrow three thousand dollars to be expended in rebuilding a bridge across the Salmon river. The present bill increases the amount to four thousand dollars. By a general act passed April 3, 1849, entitled "An act to vest in the boards of supervisors certain legislative powers," &c., it was provided among other things "that such boards in the several counties of the State (except New York) might authorize any town in their respective counties to borrow any sum, not exceeding four thousand

dollars in one year to build or repair any roads or bridges in such town, and prescribe the time for the payment of the same, which time shall be within ten years, and for assessing the principal and interest thereof upon such town." This general law rendered any special legislation in regard to the bridge at Fort Covington wholly unnecessary. The subject properly belonged to the board of supervisors, which for such and certain other purposes is the county Legislature. In a message which I communicated to the Assembly on the 11th instant, in returning a bill without my signature, I called attention to the fact that applications for special legislation in cases covered by general laws pressed heavily upon the valuable time of public men, and increased largely the public expenses, and I suggested that special legislation should always be refused in cases covered by general enactments.

I feel it to be my duty to take every proper opportunity to urge these views upon the consideration of the Legislature, and to do all in my power to check an evil which has grown to be one of great magnitude.

JOHN T. HOFFMAN.

Mr. Folger offered the following resolution :

Resolved, That a respectful message be sent to His Excellency the Governor, informing him that the bill entitled "An act to amend section 1 of chapter 404 of the Laws of 1868, relative to building a bridge at Fort Covington," did not originate in the Senate, and asking his wish in regard to the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the preamble and concurrent resolution to furnish arms to the Cornell University, reported in favor of the adoption of the same, in the words following :

Resolved, (if the Senate concur,) That the Governor be, and he hereby is authorized and directed to issue from the State arsenals to the military professor of that university, or to his military assistant, upon requisitions approved by the President thereof, such ordnance and ordnance stores, and such camp and garrison equipage as may from time to time in his opinion be necessary for the purposes of instruction in military tactics; and in case suitable arms and equipage are not on hand in the State arsenals, to procure the same by requisition on the General Government; provided, that the public property so issued to the Cornell University shall be accounted for by the officer receiving the same, according to the militia laws of the State.

Mr. Williams moved to amend by inserting after the words "accounted for" the words "and security given therefor."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

Mr. Nichols moved to amend by inserting after the word "tactics" the words "if in his opinion the same can be done without prejudice to the interest of the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger offered the following as a substitute for the resolution offered by the committee and amended :

Resolved, (if the Senate concur,) That the Governor be and he is hereby authorized in his discretion to issue from the State arsenals to the Cornell University, upon the requisitions of the military professor of that Uni-

versity, or of his military assistant, approved by the president thereof, ordnance and ordnance stores, and camp and garrison equipage in amount and kind as may from time to time be necessary for the purpose of instruction at that University in military tactics; and in case suitable arms and equipage are not in the State arsenals, the Governor is authorized to procure the same by requisition on the United States; provided, however, that no public property be issued under this resolution unless security for the safe keeping and return thereof be first given by said University; and, provided further, that in case of need by the State at any time of the property of the State so issued, the same may be demanded and recovered by the Governor; and, provided further, that no requisition shall be complied with by the Governor unless in his opinion the State can safely do so.

Mr. Chapman moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company, passed May 11th, 1846,' passed May 5th, 1847,' passed March 25th, 1852.'"

"An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23d, 1867."

"An act for the relief of Richard M. Hoe and William Watson, commissioners, under the act passed the 15th day of April, 1867, to grade, regulate and macadamize the southern highway, in the towns of Westchester and West Farms."

"An act to amend an act entitled 'An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester,' passed May 19, 1868."

"An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees and raising money by tax for new court house."

"An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called Greenburgh avenue."

"An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1836."

"An act to incorporate 'Arcade Hook and Ladder Company No. 1, of Arcade, Wyoming county.'"

"An act to incorporate the Phenix Hook and Ladder Company No. 1, of Greenport, Suffolk county."

"An act to amend title 12, chapter 20, part 1st of the Revised Statutes, entitled 'Of wrecks.'"

"An act to enable the 'New York Elevator Company' to complete its organization and commence business."

"An act to change the name of the 'Young Men's Hebrew Benevolent Association in the city of New York.'"

"An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms,' passed March 31, 1868."

The hour of 12 o'clock having arrived, the Senate went into executive

session under the rules, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on canals, to which was referred the bill entitled "An act to authorize the Canal Commissioner to repair and maintain the present farm bridge across the Chemung canal feeder on the lands of Stephen T. Owen in the town of Big Flats, Chemung county," reported that they have made some amendments thereto, and amended the title as follows: "An act to authorize the Canal Commissioner to repair at an expense not to exceed one hundred dollars, the farm bridge across the Chemung canal feeder on the lands of Stephen T. Owen in the town of Big Flats, Chemung county," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act relating to the county prison of the county of Broome, the common jail of the county of Broome, and the prisoners that shall be confined therein for crime," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act relating to the county jail of the county of of Broome, and the prisoners that shall be confined therein for crime," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act for the more effectual suppression and punishment of bribery," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act authorizing the board of supervisors of the county of Broome to contract with the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of prisoners convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary, at Syracuse, of persons convicted of crime in the county of Broome," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of Samuel E. Simonds to certain land in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to erect the town of Ashland, in the county of Chemung,' passed April 25th, 1867," reported adversely thereto, for the following reason, viz: that the board of supervisors of Chemung county have full power by existing laws to grant the relief sought to be obtained by the passage of the accompanying bill; which report was agreed to and said bill rejected.

By unanimous consent, Mr. Banks asked and obtained leave to intro-

duce a bill entitled "An act in relation to St. Peter's Church in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act relating to certain lands sold by the State Engineer and Surveyor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the collection of assessments and taxes in the city and county of New York, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to enlarge and fix the boundaries of union school district No. 1, lying in the towns of Wolcott, Huron and Butler, in Wayne county,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of such department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receiver of such depositing companies in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of session in the various counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Lumber Manufacturing and Improvement Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act in relation to the fees of the clerk of the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to intro-

duce a bill entitled "An act to incorporate the village of Charlotte, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act for the protection of persons and companies gathering ice for merchandise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act authorizing attorneys at law to take affidavits and acknowledgments in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend 'An act to incorporate the General Synod of the Reformed Protestant Dutch Church,' passed April 7, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the construction and operation of a railway in Twenty-third street, and other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to change the name of the 'Young Men's Hebrew Benevolent Association in the city of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Van Potten
Creamer	Hale	Morris	Pierce	Williams 25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend title 12, chapter 20, part 1st of the Revised Statutes, entitled 'Of wrecks,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Palmer
Beach	Edwards	Humphrey	Nichols	Parker
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to release to Catharine Smith and her assigns, the interest of the people of the State of New York in certain lands of which John Smith died seised," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Beach	Folger	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	O'Donnell	Van Petten
Campbell	Graham	Morgan	Parker	Williams
Cauldwell	Hale	Morris	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees and raising money by tax for new court house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Bradley	Folger	Mattoon	Palmer	Thayer
Campbell	Graham	Morgan	Parker	Williams
Cauldwell				

21

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly this day, with a message requesting their concurrence therein.

The bill entitled "An act to enable the 'New York Elevator Company' to complete its organization and commence business," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morgan	Parker
Beach	Edwards	Humphrey	Morris	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	Palmer	Thayer

20

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 49 of article 3 of title 1, chapter 6 of part 2 of the Revised Statutes, relative to inheritance," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Stanford
Beach	Crowley	Kennedy	Nicks	Thayer
Bradley	Folger	Mattoon	Palmer	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Phenix Hook and Ladder Company No. 1, of Greenport, Suffolk county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Hale	Morgan	Parker	Tweed
Campbell	Humphrey	Nichols	Pierce	Van Petten
Cauldwell				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate 'Arcade Hook and Ladder Company No. 1, of Arcade, Wyoming county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Cauldwell	Humphrey	Morris	Parker	Tweed
Creamer	Kennedy	Nicks	Pierce	Van Petten
Crowley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1836," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Folger	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman	Humphrey	Nicks		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called Greenburgh avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford	
Bradley	Edwards	Mattoon	Palmer	Thayer	
Campbell	Folger	Morgan	Parker	Tweed	
Cauldwell	Humphrey	Morris	Pierce	Van Petten	
Chapman					21

FOR THE NEGATIVE.

Hale	1
------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for raising moneys for the payment of the improvements necessary to be made on the roads and bridges in the town of Ellicott, in the county of Chautauqua," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Bradley	Crowley	Humphrey	Nichols	Stanford	
Campbell	Edwards	Mattoon	Nicks	Thayer	
Cauldwell	Folger	Morgan	Palmer	Van Petten	20

FOR THE NEGATIVE.

Chapman	Hale	Kennedy	Parker	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms,' passed March 31, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Morgan	Parker	
Bradley	Creamer	Graham	Morris	Pierce	
Campbell	Crowley	Humphrey	Nicks	Stanford	
Cauldwell	Edwards	Kennedy	Palmer	Tweed	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester,' passed May 19, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morris	Parker
Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	Nicks	Tweed
Chapman	Graham	Morgan	Palmer	Van Petten
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize and confirm the acts of Selah Field, Alfred Bailey, and Reuben W. Kirkham, commissioners of highways in and for the town of Southeast, county of Putnam, in the construction of a bridge in the highway running from Jesse Haviland's to Drewville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	O'Donnell	Stanford
Cauldwell	Graham	Morris	Palmer	Thayer
Creamer	Humphrey	Nichols	Parker	Tweed
Edwards	Kennedy	Nicks	Pierce	Van Petten
Folger	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Richard M. Hoe and William Watson, commissioners, under the act passed the 15th day of April, 1867, to grade, regulate and macadamize the southern highway, in the towns of Westchester and West Farms," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morris	Parker	Van Petten
Cauldwell	Graham	Nichols	Pierce	Williams
Crowley	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Crowley	Humphrey	Nichols	Pierce	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company, passed May 11, 1846,' passed May 5, 1847,' passed March 25, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Parker
Bradley	Crowley	Humphrey	Morris	Stanford
Campbell	Folger	Kennedy	Nichols	Van Petten
Cauldwell	Graham	Mattoon	Nicks	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Southern Tier Savings Bank, in the city of Elmira, Chemung county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Chapman	Humphrey	Nichols	Pierce	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan offered the following resolution:

Resolved, That the privileges of the Senate be extended to Prof. Goldwin Smith during his stay in Albany.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Tweed offered the following resolution:

Resolved, (if the Assembly concur,) That when the Legislature adjourns on Friday, February 19, 1869, it adjourn to meet again on Tuesday, March 2d, 1869, at 11 o'clock, A. M.

Ordered, That said resolution be laid on the table.

Mr. O'Donnell offered the following resolution:

Resolved, That the proper officers of every steam railroad in the State be directed to report to the Senate by the fifth day of March next, the tariff of prices for transportation of freight and passengers charged during the year, and for each month of the year, from and to the various stations in the State, and the tariff of prices charged from and to the principal points in the Western States.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer offered the following preamble and resolution:

Whereas, The Government of Great Britain has, on several occasions, disregarded and outraged the rights of American citizens by casting them into prison on the pretense of suspected sympathy with the Irish people; and did previously, during the civil war, openly manifest its hostility to the cause of the Union and the perpetuity of Republican institutions; and now seeks the ratification of a treaty relieving it from the responsibility of its actions; therefore,

Resolved, (if the Assembly concur,) That our Senators in Congress be respectfully requested to refuse to ratify any treaty with the Government of Great Britain, and to reject all overtures looking towards a treaty, in which the rights and privileges of American citizens, both native and adopted, are not clearly defined and protected.

Ordered, That said resolution be laid on the table.

Mr. Hale gave notice that he would, at some future day, move to amend the rules, by providing that all bills amended in committee of the whole shall hereafter be printed as amended, and placed on a separate file before such bills have their third reading.

Mr. Folger offered the following resolution:

Resolved, That the papers in relation to the claims of John Edwards be taken from the files of the Senate and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Graham moved that the bill entitled "An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery, to sell a portion of their lands and to provide for compensation to lot owners," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Canal Appraisers, reported in favor of the adoption of the following resolution:

Resolved, That there be printed 500 copies of the report of the Canal Appraisers for the use of the Appraisers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Edwards gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Edgewater, in the county of Richmond.

Also a bill to provide for the drainage of the village of Edgewater, in the county of Richmond, and to appoint commissioners for that purpose.

Mr. Tweed gave notice that he would, at an early day, ask leave to introduce a bill to incorporate Americus Six Association of the city of New York,

Also a bill to incorporate the Lavonia Stage Company and to establish a stage route.

Mr. Morris moved that the Assembly bill entitled "An act in relation to the opening of roads through lands devoted to vineyards," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Tweed and by unanimous consent, the Senate went into executive session for confirmation of notaries public only.

After some time spent therein the doors were opened; when,

On motion of Mr. Van Petten, the Senate adjourned.

THURSDAY, FEBRUARY 18, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mulford.

The journal of yesterday was read and approved.

Mr. Creamer presented a petition for relief from oppressive restrictions on investments of New York life insurance companies, which was read and referred to the committee on insurance companies.

Mr. Bradley presented a petition of Lester Wallack, Edwin Booth and other theatrical managers, for the passage of a law protecting their patrons in the purchase of tickets of admission to places of public entertainment, and preventing speculation in such tickets, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition of citizens of Fenton, for incorporation of Port Crane Bridge Company, which was read and referred to the committee on roads and bridges.

Mr. Kennedy presented a petition of contributors to Genesee college, in favor of its removal, which was read and referred to the committee of the whole.

Mr. Nichols presented a petition of the Providence Lunatic Asylum, at Buffalo, for State aid, which was read and referred to the committee on finance.

Also a petition of East Hamburgh Turnpike Road Company, to amend its charter, which was read and referred to the committee on roads and bridges.

Mr. Pierce presented a petition of citizens of Brooklyn for extension of Prospect park, for the purpose of affording suitable approaches from Atlantic avenue, which was read and referred to the committee on municipal affairs.

Mr. Graham presented a petition for draining wet lands in the town of Goshen, which was read and referred to the committee on the judiciary.

Mr. Murphy presented a memorial of the board of supervisors of the county of Kings, for fixed salary at \$1,000 per year, which was read and referred to the committee on internal affairs of towns and counties.

Also a petition of owners of lands in New Lots, to alter the line of Bushwick avenue extension, which was read and referred to the committee on roads and bridges.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the New York Lumber Manufacturing and Improvement Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" passed May 2, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Fire Proof Warehousing Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the petition of Charles E. Whitehead and others, for aid to the Children's Aid Society of the city of New York, reported by bill entitled "An act in aid of the Boys' and Girls' Lodging House of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act for the settlement of the adjudicated awards certified to be due to the militia of the State of New York who served in the war of 1812," reported the same to the Senate with an amendment, for its consideration, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for the assessment and collection of taxes upon corporations, joint stock associations, express, telegraph and navigation companies, at the Comptroller's office in Albany," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of trustees of Kinderhook, Columbia county, for the passage of an act to authorize them to raise money by tax to pay for town clock and fire alarm bell, reported by bill entitled "An act to authorize the trustees of the village of Kinderhook, in the county of Columbia, to raise money by tax to pay for fire alarm bell and town clock," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for grading and improving Center street, and making a sidewalk therein and lighting the same, in the village of Peekskill," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishments thereto," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the village of White-stone, in Queens county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the First National Savings Bank of Lowville, Lewis county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the towns of Yonkers and East Chester, in the county of Westchester, to widen, make, extend and improve several highways in said towns," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act relating to evidence in criminal prosecutions," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Folger requested his dissent from said report be entered upon the journal, and it was so ordered.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to enlarge the jurisdiction of the court of sessions in and for the county of Westchester," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize Smith and Parmelee Gold Company to issue a preferred stock," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Association of the city of New York,' passed 3d April, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to prevent the willful and malicious setting on fire or burning of piles or parcels of wood, boards, timber or other lumber, and for other purposes," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend section 7 of article 1st, title 3, chapter 1st, part 4th of the Revised Statutes, said article being entitled 'Of arson,'" and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 280, section 73

Laws of 1847, relating to a reporter of the Supreme Court," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of the board of supervisors of Columbia county, for a repeal of act requiring publication of session laws in two newspapers, reported in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes in regard to the rate of interest upon the loan or forbearance of money, goods, or other things in action," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing corporations for pecuniary profit," reported adversely thereto.

Mr. Thayer moved to lay the question agreeing to the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to regulate fees in certain cases," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend 'An act for the benefit of married women in insuring the lives of their husbands,' passed April 14, 1858," reported adversely thereto.

Mr. Thayer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for the equalization of assessments in the county of Columbia by commissioners," reported a general bill entitled "An act to provide for the correction of errors in the equalization of assessments in any county, as made by the board of supervisors," and recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the better protection of the civil and religious rights of minors," reported that they have made some amendments thereto, and amended the title so as to read "An act for the better protection of minors," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent shooting any wild bird or animal in the county of Westchester," reported adversely thereto, for the reason that they find the provisions of law sufficient already, as contained in Laws of 1867, chapter 898, section 6; which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which

was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14th, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing and confirming the sale of lots by Green Hill Cemetery Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act legalizing the conveyance of lands made by Johannes Roesing, an alien of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Susan Quinn the interest of the people of the State of New York in certain lands of which John Quinn died seized," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act vesting in John T. Conover, administrator with the will annexed of G. A. Conover, deceased, all the powers and duties of executor and trustee under such will," reported that the committee have had the same under consideration and have come to the conclusion to report adversely thereto.

The committee does this for the reason that it deems the provisions of law now existing ample for the ends which it seems from the bill are sought to be reached by it.

There is no petition or other statement of facts accompanying the bill, but from the bill itself and from oral statements of persons interested, it appears to the committee, that Gustavus A. Conover died leaving a last will and testament, in which he created certain trusts and powers, and gave certain directions, and named an executor who was *intute officii*, to execute the trusts and powers and to carry out the directions of the will.

This executor has since died, leaving the will unexecuted, and John T. Conover, named in the will, has been duly appointed the administrator with the will annexed.

By this appointment John T. Conover has all the usual powers of that office.

And as the committee understand the law and the practice and jurisdiction of the courts, an application to the proper tribunal will, upon a proper case being presented, result in power being given to the administrator with the will annexed, or to some suitable person, to execute and carry out the trusts and powers of the will and all directions contained in it not coming within the scope of the office of administrator with the will annexed.

The committee refer to the cases following, as sustaining this view: *In re Van Wyck*, 1 Barb. Ch., 565. *De Peyster v. Clendinning & Paige*, 295.

Dated Feb. 18, 1869.

CHAS. J. FOLGER, *Chairman*.

Mr. Folger moved that the question agreeing to the report of the committee be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The President presented a communication from the Comptroller, in reply to a resolution adopted by the Senate on the 16th inst., relative to claims for printing public documents ordered by the Senate, which was laid on the table and ordered printed.

(See *Doc. No. 42.*)

The Assembly sent for concurrence the bills entitled as follows :

"An act to legalize and confirm certain acts and proceedings of the common council of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the charter of the village of Fultonville, to make said village a separate road district, and to define the distribution between the said village and the town of Glen of the money raised in said town for highway purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to extend Irving place in the city of New York.

Also a bill to extend Centre street in the city of New York.

Mr. Van Petten gave notice that he would, at an early day, ask leave to introduce a bill to provide for reduction of tolls on the canals, and for the repeal of acts exempting certain railroads from the payment of tolls on freight.

Mr. Cauldwell gave notice that he would, at an early day, ask leave to introduce a bill for the laying out, opening and closing of streets, roads and avenues in the town of Yonkers, in the county of Westchester.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to incorporate the Clinton Savings Bank of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide for the safe custody and care of insane criminals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act for the relief of Anthony Pulver, and to provide for the refunding to him of taxes illegally assessed upon his real estate in the town of Ancram, Columbia county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Americus Six Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Pavonia Stage Com-

pany, and to establish a stage route," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the erection of wharves and piers in the Harlem river below the Second avenue,' passed April 4, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to regulate the sale of tickets for admission to theatrical, dramatic, operatic and other public amusements and entertainments in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act for enforcing the liens of inn keepers, boardinghouse keepers and mechanics, given them under the existing laws therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road, and to regulate tolls thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to provide for draining and ditching wet lands in the town and village of Goshen, and to widen, alter and deepen the stream in said village, known as the Rio Grande and the tributaries thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Port Crane Bridge Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent Mr. Murphy asked and obtained leave to introduce a bill entitled "An act further to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,' passed April 15, 1857, passed April 16, 1859, passed April 5, 1861," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to provide for the collection of claims for taxes erroneously assessed or collected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act incorporating the Oswego fire department, of the city of Oswego,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hale moved to take from the table the motion to reconsider the vote upon the passage of the bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Parker
Beach	Edwards	Hubbard	Murphy	Pierce
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Creamer	Graham	Morgan	O'Donnell	

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On motion of Mr. Hale and by unanimous consent, said bill was amended by adding at the end of section 1, the following: "but this act shall not apply to grants of land under water."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Creamer	Humphrey	Nicks	Stanford
Bradley	Crowley	Kennedy	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Chapman moved to take from the table the resolution to furnish arms to the Cornell University.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President announced the question to be upon the amendment offered by Mr. Folger, as follows :

Resolved, (if the Senate concur,) That the Governor be and he is hereby authorized in his discretion to issue from the State arsenals to the Cornell University, upon the requisition of the military professor of that University, or of his military assistant, approved by the president thereof, ordnance and ordnance stores, and camp and garrison equipage in amount and kind as may from time to time be necessary for the purpose of instruction in that University in military tactics ; and in case suitable arms and equipage are not in the State arsenals, the Governor is authorized to procure the same by requisition on the United States ; provided, however, that no public property be issued under this resolution unless security for the safe keeping and return thereof be first given by said University ; and, provided further, that in case of need by the State at any time of the property of the State so issued, the same may be demanded and recovered by the Governor ; and, provided further, that no requisition shall be complied with by the Governor unless in his opinion the State can safely do so.

Mr. Chapman moved to amend the amendment by striking out all after the word "concur," and inserting the following :

"That the Governor be, and he is hereby authorized and directed to issue from the State arsenals to the Cornell University, upon the requisition of the military professor of that University, or of his military assistant, approved by the President thereof, from time to time, such ordnance and ordnance stores and such camp and garrison equipage as may in the opinion of the said Governor be necessary for the instruction of the students attending such University, in military tactics ; and in case suitable arms and equipage are not on hand in the State arsenals, the Governor is authorized and directed to make a requisition upon the United States for the same ; provided, however, that no public property belonging to this State be issued under this resolution unless security for the safe keeping and return thereof be first given by said University ; and, provided further, that in case of need by the State at any time of any or all of the property of the State that may have been so issued, the same may be demanded of and received from the said University by the Governor."

The President put the question whether the Senate would agree to said motion of Mr. Chapman to amend, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Kennedy	Nicks	Palmer	Stanford	
Campbell	Mattoon	O'Donnell	Parker	Van Petten	
Chapman	Morgan				12

FOR THE NEGATIVE.

Banks	Crowley	Graham	Morris	Thayer	
Bradley	Edwards	Hale	Nichols	Tweed	
Cauldwell	Folger	Hubbard	Pierce	Williams	
Creamer	Genet	Humphrey			18

Mr. Parker moved the adoption of the amendment offered by Mr. Chapman, with the following further amendment :

Insert after the words "is hereby authorized and directed" the words "if in his opinion the same can be done without prejudice to the interest of the State."

The President put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Kennedy	Nicks	Palmer	Stanford	11
Campbell	Morgan	O'Donnell	Parker	Van Petten	
Chapman					

FOR THE NEGATIVE.

Banks	Crowley	Graham	Mattoon	Thayer	19
Bradley	Edwards	Hale	Morris	Tweed	
Cauldwell	Folger	Hubbard	Nichols	Williams	
Creamer	Genet	Humphrey	Pierce		

The question being upon the substitute offered by Mr. Folger, Mr. Chapman called for a division.

The President stated the question to be upon that portion of said resolution, as follows:

"Resolved, (if the Senate concur,) That the Governor be and he is hereby authorized in his discretion to issue from the State arsenals to the Cornell University, upon the requisition of the professor of that University, or of his military assistant, approved by the president thereof, ordnance and ordnance stores, and camp and garrison equipage, in amount and kind as may from time to time be necessary for the purpose of instruction in that University in military tactics."

Mr. Chapman moved to amend by inserting after the words "is hereby authorized" the words "and directed."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	O'Donnell	Stanford	15
Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	

FOR THE NEGATIVE.

Banks	Crowley	Graham	Morris	Pierce	16
Bradley	Edwards	Hubbard	Murphy	Tweed	
Cauldwell	Genet	Humphrey	Nichols	Williams	
Creamer					

Mr. Chapman moved to amend by adding after the words "authorized" the words "and requested."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the first branch of said resolution as amended, and it was decided in the affirmative.

The question being upon the second branch of the resolution, as follows:

"And in case suitable arms and equipage are not in the State arsenals, the Governor is authorized to procure the same by requisition on the United States; provided, however, that no public property be issued under this resolution unless security for the safe keeping and return thereof be first given by said University; and, provided further, that in case of need by the State at any time of the property of the State so issued, the same may be demanded and recovered by the Governor; and, provided further, that no requisition shall be complied with by the Governor unless in his opinion the State can safely do so."

Mr. Chapman moved to amend the same by adding after the words "the Governor is authorized" the words "and requested."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Tweed called for the consideration of the concurrent resolution heretofore offered by him, as follows:

Resolved, (if the Assembly concur,) That when the Legislature adjourn on Friday the 19th instant, it adjourn to meet on Tuesday the 2d day of March, at 11 o'clock A. M.

Mr. Thayer moved to amend by striking out "19th" and inserting "20th," and also strike out "2d" and insert "9th."

Mr. Creamer moved to amend the original resolution by striking out "March 2d" and inserting "February 23d."

The President put the question whether the Senate would agree to said motion of Mr. Creamer to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Hale offered the following preamble and resolution:

Whereas, Henry Thompson, a witness heretofore ordered by resolution of the Senate to be taken into custody by the Sergeant-at-Arms and brought before the Senate to answer for his disobedience to a subpoena issued by a committee of the Senate, has appeared before such committee and satisfactorily excused such disobedience, and submitted to an examination before such committee; therefore,

Resolved, That the said Henry Thompson be and he hereby is discharged from custody under such resolution, and the writ of attachment issued in pursuance thereof.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer offered the following resolution:

Resolved, That the President appoint a special committee of five to investigate into the workings of the public schools, and schools receiving pecuniary aid from the municipal authorities in the city of New York; and that said committee report to this body at an early day what additional legislation if any is necessary to improve the educational system now governing the schools of said city; said committee to incur no expense to the State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

Resolved, That Senate bill No. 37, entitled "An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder," after this day be the special order immediately after reading the journal until the committee of the whole is finally discharged therefrom.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Thayer offered the following resolution :

Resolved, (if the Assembly concur,) That when the Senate adjourns on Saturday, Feb. 27th, it adjourn to meet Monday evening, March 8th.

Ordered, That said resolution be laid on the table.

Mr. Cauldwell offered the following resolution :

Resolved, That the committee on printing be instructed to ascertain and report what number of copies of the documents ordered at the last session to be printed for the use of the Senate have been printed by the contractor, to whom the same have been delivered, and at what time the whole number of the documents so ordered will be ready for delivery for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments made thereto by the Senate :

"An act to release to Catharine Smith and her assigns the interest of the people of the State of New York in certain lauds of which John Smith died seized."

Ordered, That the Clerk return said bill to the Assembly.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder."

"An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery, to sell a portion of their lands and to provide for compensation of lot owners."

Assembly, "An act in relation to the opening of roads through lands devoted to vineyards."

After some time spent therein the President resumed the chair, and Mr. Banks, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Folger moved that the report of the committee be disagreed with, and that the bill be recommitted to the standing committee on the judiciary with power to report complete, but with instructions to retain all amendments made in committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Banks, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Banks, the Senate adjourned.

. FRIDAY, FEBRUARY 19, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Fenton.

The journal of yesterday was read and approved.

Mr. Murphy presented the petition of certain inhabitants of Fort Hamilton, in the town of New Utrecht, praying for an amendment to the law in relation to draining the swamps in said town, which was read and referred to the committee on the judiciary.

Mr. Nichols presented a petition of citizens of Western New York, for an asylum for the insane of Western New York, which was read and referred to the committee on finance.

Mr. Campbell presented a petition of citizens of Oneida county, for the repeal of the law requiring lock-up safety valves, which was read and referred to the committee on the judiciary.

Mr. Genet, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in 125th street, and in certain other streets and avenues of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend 'An act to incorporate the General Synod of the Reformed Protestant Dutch Church,' passed April 17, 1819," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the bill entitled "An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act changing the name of the Cherry Valley and Mohawk River Railroad Company and to facilitate the construction of the road, and to exempt from certain taxation town bonds used for the construction thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New York and Long Island Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn, in Queens county,' passed

April 16, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of sessions in the various counties of this State," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to enable the supervisors of the county of Greene to issue bonds of said county to refund taxes illegally collected," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street in said city," reported that they have made some amendments thereto, and amended the title so as to read "An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street in said city, and to provide for assessing and collecting said cost," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the collection of taxes in the town of Lisbon," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release and convey the interest of the people of the State of New York in certain real estate in the town of Highland, in the county of Sullivan, to the widow and the heirs of Christian Metzger, deceased, and to enable them to take, hold and dispose of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act incorporating the Oswego fire department,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery, to sell a portion of their lands and to provide for compensation of lot owners."

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize and confirm certain acts and proceedings of the common council of the city of Albany,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the petition of citizens and taxpayers of Chenango county, for a repeal of the present school law, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as the committee ordered in pursuance of the resolution adopted by the Senate to investigate the management of public schools in the city of New York, Messrs. Creamer, Genet, Thayer, Kennedy and Hale.

A message was received from the Assembly, in the words following :

IN ASSEMBLY, *February*, 18 1869.

Resolved, That a respectful message be sent to the Senate requesting that body to transmit to the Assembly such testimony as is in their possession relative to the over issue of stock by railroad corporations in this State.

By order.

EDWARD F. UNDERHILL, *Clerk*.

Mr. Murphy moved to refer said resolution to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the Erie railway," with a message that they have passed the same with the following amendments :

Section 5, line 12, engrossed bill, after the word "estate" insert the following :

"And in case of proof, the certificate shall state that the subscriber stated in the presence of the witness that he knew the contents of the instrument so subscribed by him."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Bradley	Genet	Mattoon	Nicks	Pierce
Campbell	Hubbard	Morgan	O'Donnell	Thayer
Cauldwell	Humphrey	Morris	Palmer	Tweed
Creamer				

21

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend the charter of the International Insurance Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act confirming the title of the First Congregational Society of Saratoga Springs to the real estate which has been conveyed to it, and authorizing said society to sell a portion of its property and to lease any portion thereof, and confirming all leases thereof made," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to change the corporate title of the General Synod of the Reformed Protestant Dutch Church to that of the General Synod of the Reformed Church in America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Hudson River Laborers' Union Benevolent Society of the town of Cortlandt, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to enable the trustees of the First Baptist Church of the town of Mooers, Clinton county, to sell their church property to the trustees of the Second Methodist Church of the same town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the 'Ellsworth Social Club,' in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to prevent cheating by the use of fraudulent checks, drafts and orders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 1 of chapter 205 of the Laws of 1863, being an act relating to St. Joseph's Orphan Asylum, Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act relating to the bridges across the Mohawk river at Fort Plain," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act in relation to the village of Piermont, in the county of Rockland, passed March 30, 1853,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the Ithaca Savings Bank by adding two additional trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Eleventh Ward Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to provide for draining swamp lands in the towns of Lima, Livonia and Avon in the county of Livingston,' passed April 20, 1866," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the draining of the low lands of the town of Wheatfield, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act making appropriation for the immediate completion and furnishing of portions of the Willard Asylum for the Insane, located near Ovid, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act defining the jurisdiction of notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal an act entitled 'An act relating to the surrogate and county judge of the county of Otsego,' passed June 27, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the city of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the village of Gouverneur, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the Barker and Chenango Bridge Company,' passed April 8, 1842, and extending the charter of said Barker and Chenango Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the compensation of members of the board of supervisors of the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the classification of the directors of the New York institution for the instruction of the deaf and dumb, and relating to said institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the charter of the savings bank at Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to fix the salaries of the assessors and overseer of the poor in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide payment to the Twenty-second Regiment National Guard of the annual appropriation due under section 183 of the military code, for the years 1863, 1864 and 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act to change the boundaries of certain towns in the county of Schuyler," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on erection and division of towns and counties.

"An act to incorporate Rescue Hook and Ladder Company No. 1, of the village of Bath," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Folger offered the following resolution :

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to enable the board of public instruction of the city of Albany to obtain sites for school houses," and that it be referred to the committee on literature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act in relation to gas companies in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to authorize the town of Greenwich, Washington county, to issue bonds and take stock in the Union Village and Johnsonville railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to incorporate the Niagara Ship Canal Company," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to incorporate the Chehocton Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, designated as the 'Military Code of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to allow manufacturing corporations to decrease the number of trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Pioneer Association of Harlem, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend chapter 806 of the Laws of 1867, in relation to public processions in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25, 1865, and to authorize the issuing of bonds by said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize a tax of _____ per dollar of valuation for construction of new work upon and extraordinary repairs of the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Stanford moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the more effectual prevention of cruelty to animals,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the New York College of Veterinary Surgeons,' passed April 19, 1862,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

The bill entitled "An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery, to sell a portion of their lands and to provide for compensation of lot owners," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Graham	Kennedy	Nicks	Van Petten
Cauldwell	Hale	Morgan	Palmer	

19

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to opening of roads through lands devoted to vineyards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Stanford
Bradley	Folger	Humphrey	Norton	Tweed
Campbell	Graham	Kennedy	Palmer	Van Patten
Cauldwell	Hale	Morris	Pierce	Williams
				20

On motion of Mr. Morris and by unanimous consent, the rules were suspended and said bill ordered returned to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same with amendments.

Mr. Nichols moved that the committee on finance be discharged from the further consideration of the petition of citizens of Western New York for an asylum for the insane of Western New York, and that the same be referred to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Humphrey offered the following resolution:

Resolved, That all papers pertaining to canal damages alleged to have been sustained by Calvin T. Chamberlain, in consequence of diversion of water from his mill upon the Genesee Valley canal, be taken from the files and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon offered the following preamble and resolution:

Whereas, In the present very delicate state of our relations with Great Britain, the most momentous consequences may hang upon the choice of a representative of this Government at the British Court; and whereas the position is one that calls for a rare union of qualities, such as firmness of purpose with suavity and evenness of temper, great knowledge of international law with courtly manners and polished address, long practice in the habit of conducting controversies without heat or excitement, with a fastidious and delicate regard to the rights and feelings of opponents; therefore,

Resolved, That the Senate earnestly recommend to the President elect the appointment of that model American gentleman and statesman, Horace Greeley, to the position of Minister to the Court of St. James.

Mr. Mattoon moved that said resolution be laid upon the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to extend the time of service of the supervisors of Monroe county."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19, 1868."

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Beach, from said committee, reported that they have struck out the enacting clause of the first named bill.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, and said bill declared lost.

Mr. Beach, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Beach, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Thayer moved that the bill entitled "An act to authorize the town of Granville, Washington county, to elect an additional justice of the peace," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That the report of the special committee on State prisons, appointed May 6, 1868, be printed as an appendix to the report of the Inspectors of State Prisons.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company; and to maintain the same as a free bridge, and to borrow money therefor."

"An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace."

"An act to incorporate the Baptist Home of Brooklyn, New York."

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Creamer, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly returned the concurrent resolution relative to adjournment, with a message that they had concurred in the passage of the same without amendment.

Mr. Folger offered the following resolution :

Resolved, (if the Assembly concur,) That the adjournment to Tuesday, 23d inst., be to 7½ o'clock P. M., instead of 11 o'clock A. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Folger and by unanimous consent, the rules were suspended and said resolution ordered transmitted immediately to the Assembly, asking concurrence.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment :

"An act to amend an act entitled 'An act to incorporate the New York Bridge Company for the purpose of constructing and maintaining a bridge over the East river, between the cities of New York and Brooklyn,' passed April 16, 1867."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Chapman moved that the bill entitled "An act in relation to evidence in criminal proceedings," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to amend an act entitled 'An act to enable lodges and chapters of Free and Accepted Masons to take, hold and convey real and personal estate,' passed April 2, 1866."

"An act in relation to evidence in criminal proceedings."

"An act to facilitate the trial of indictments."

After some time spent therein the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Assembly returned the concurrent resolution providing for an adjournment until Tuesday, 23d, at 7½ o'clock P. M., with a message that they had concurred in the passage of the same without amendment.

The Assembly returned the bill entitled as follows :

"An act to authorize the town of Perry, in the county of Wyoming, to issue bonds to aid in the construction of a railroad from the village of Perry, to intersect the Erie railway."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments made thereto by the Senate :

"An act in relation to the opening of roads through lands devoted to vineyards."

Ordered, That the Clerk return said bill to the Assembly.

On motion of Mr. Kennedy, the Senate adjourned.

TUESDAY, FEBRUARY 23, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

In the absence of the President and President *pro tem.*, the Senate was called to order by the Clerk.

No quorum being present,

On motion of Mr. Crowley, the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1869.

The Senate met pursuant to adjournment.

In the absence of the President and President *pro tem.*, the Senate was called to order by the Clerk.

On motion of Mr. Pierce, the Hon. Richard Crowley was appointed President *pro tem.* for the day.

Prayer by Rev. Mr. Morrow.

The journals of Feb. 19th, and Feb. 24th, were read and approved.

Mr. Graham presented a petition for repeal of chapter 812 of the Laws of 1868, which was read and referred to the committee on commerce and navigation.

Mr. Norton presented a petition for repeal of charter of the Elevated Railway in Greenwich street and Ninth avenue in New York, which was read and referred to the committee on municipal affairs.

Mr. Humphrey presented a memorial of trustees of the village of Warsaw, Wyoming county, praying for an amendment of the charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Banks presented a petition of citizens of Albany, for a law to reduce the expenses of the Insurance Department, which was read and referred to the committee on insurance companies.

Mr. Pierce presented a petition of twenty-five residents and property owners of the town of New Lots, in favor of a law authorizing the owners or lessees of the Atlantic avenue railroad track to run dummy cars from East New York to Flatbush avenue, which was read and referred to the committee on railroads.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace.

"An act to incorporate the Baptist Home of Brooklyn, New York."

"An act to facilitate the trial of indictments."

"An act in relation to evidence in criminal proceedings."

"An act to amend an act entitled 'An act to enable lodges and chapters of Free and Accepted Masons to take, hold and convey real and personal estate,' passed April 2, 1866."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19th, 1868.'"

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the compensation of members of the board of supervisors of the county of Oneida," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1st, 1854,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Gouverneur, in the county of St Lawrence," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the village of Piermont, in the county of Rockland,' passed March 30th, 1853," reported in favor of the passage of the same without amendment, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Union Springs," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to fix the salaries of the assessors and overseers of the poor of the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the petition of the Ladies' Union Aid Society of the Methodist Episcopal Church, for a modification of their charter, reported by bill entitled "An act to amend an act entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church, in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to revise the charter of the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to regulate and restrict the organization of savings banks and institutions for savings," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to empower the ineffable and sublime Grand Lodge of perfection, the grand council of Jerusalem, the chapter of Rose Croix, and the sovereign consistory of Masons of the ancient accepted Scottish rite, in the city of Albany, to hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend section 42 of chapter 3 of part 2 of the Revised Statutes, in relation to proof and recording conveyances of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the making and keeping of books of general indices by county clerks, and by the register of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the trustees of the village of Warsaw to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village,' passed April 1, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled 'An act for the publication of the session laws in two newspapers in each county of this State,' passed May 14, 1845, passed April 27, 1868,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice and pleadings and proceedings of the courts of this State, and known as the Code of Procedure,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to incorporate the Baptist Home of Brooklyn, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nichols	Stanford
Beach	Graham	Kennedy	Norton	Tweed
Bradley	Hale	Mattoon	Palmer	Van Petten
Crowley	Hubbard	Morgan	Pierce	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to enable lodges and chapters of Free and Accepted Masons to take, hold and convey real and personal estate,' passed April 2, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Stanford
Beach	Graham	Mattoon	Palmer	Tweed
Bradley	Hale	Morgan	Pierce	Van Petten
Cauldwell	Humphrey	Nichols		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan moved that the bill entitled "An act for the relief of 'The Rochester City and Brighton Railroad Company,'" be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Morgan offered the following resolution:

Resolved, That the time within which the railroad committee, as extended, are required to report as to the issue of stock or bonds by certain railroads, be and is hereby extended twenty days.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Tweed called from the table the resolution, as follows:

Resolved, (if the Assembly concur,) That when the Senate adjourn on Saturday the 27th inst., it adjourn to meet on Monday evening, March 8th.

Mr. Tweed moved to amend said resolution by striking out "Senate" and inserting "Legislature" and to add at the end of the resolution the words "at 7½ P. M."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet moved to amend said resolution by striking out "Saturday the 27th" and inserting "Friday the 26th."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach moved to amend by striking out "March 8th" and inserting "March 1st."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Humphrey	Morgan	Nichols	Norton	7
Hale	Kennedy				

FOR THE NEGATIVE.

Banks	Genet	Mattoon	Pierce	Tweed	11
Cauldwell	Hubbard	Palmer	Stanford	Van Petten	
Crowley					

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Pierce	Tweed	13
Bradley	Graham	Norton	Stanford	Van Petten	
Cauldwell	Hubbard	Palmer			

FOR THE NEGATIVE.

Beach	Humphrey	Kennedy	Morgan	Nichols	6
Hale					

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Morgan moved to take from the table the resolution heretofore offered by him, as follows:

Resolved, That the debates of the Senate, reduced by the Stenographer to a form which embodies and preserves the substance thereof, be published in the form of a permanent record; the same to be published under the direction of the Clerk of the Senate.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Morgan moved to amend by striking out all after the word "Resolved," and inserting the following:

"That the debates of the Senate, reduced by the stenographer to writing, and as nearly verbatim as may be necessary to give a complete record, be printed in a permanent form under the direction of the Clerk."

Mr. Tweed moved to amend said resolution by adding thereto the following:

"Provided that the debates so reported shall not be subject to revision by the parties taking part in said debate, but shall be the report as taken by the stenographer as the words fell from the lips of the speakers."

Mr. Hubbard moved to refer said resolution and the proposed amendments to the committee on public printing, with instructions to ascertain and report to the Senate the expense of carrying said resolution into effect.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of 'The Rochester City and Brighton Railroad Company.'"

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond."

"An act to amend an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 25th, 1864."

After some time spent therein, the President resumed the chair, and Mr. Graham, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Graham, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857,' passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Hale, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

"An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850."

"An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary."

After some time spent therein the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Graham, the Senate adjourned.

THURSDAY, FEBRUARY 25, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hulburd.

The journal of yesterday was read and approved.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins and to enlarge the powers of the corporation of said village,' passed April 3, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize Harry Lincoln Rose to change his name to Harry Lincoln Leet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize certain members of St. John's Church, Buffalo, to organize a separate corporation and to provide for a division of the property," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Mr. Nichols moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

"An act for the relief of Eliza W. Dunlap," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to provide for the construction of an iron bridge over the Baldwinsville canal on Bridge street, in the village of Baldwinsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the execution and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable the electors of the town of Milton, in the county of Saratoga, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act for the relief of John Fitzpatrick, assignee of Bernardus Swartout," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act authorizing town boards in the county of Monroe to offer and pay rewards for the apprehension of criminals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the erection and maintenance of watering troughs in the

public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county."

"An act to provide for the payment of the State Assessors for their services and expenses for the year 1868."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Graham presented a petition of Wheeler Decker and others, asking that acts of the Legislature of 1807 and 1826, relative to drowned lands along the Wallkill river, be enforced, which was read and referred to the committee on the judiciary.

Mr. Williams presented a petition of W. Roe and others, in favor of an act to repeal or modify the law in regard to the union school of Wolcott village, which was read and referred to the committee on literature.

Also a remonstrance on same subject, which was read and referred to the committee on literature.

Also two petitions of citizens of Wayne county, in favor of the act to encourage the construction of railroads in this State, which were read and referred to the committee on finance.

Mr. Kennedy presented a petition of citizens of Syracuse, for a law to reduce the expenses of the Insurance Department, which was read and referred to the committee on insurance companies.

Also a petition of Joseph A. Scoville for relief, which was read and referred to the committee on claims.

Mr. O'Donnell presented a petition of owners of steam boilers in Lewis county, for repeal of law in relation to lock up valves for steam boilers, which was read and referred to the committee on the judiciary.

Also a memorial and resolutions of a town meeting in Watertown, Jefferson county, for repeal of law providing for the collection of agricultural statistics in this State, which were read and referred to the committee on agriculture.

Mr. Van Petten presented several petitions for altering boundaries of union free school district No. 1, in Wolcott, Huron and Butler, in Wayne county, which were read and referred to the committee on literature.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to establish the office of receiver of taxes for the town of New Rochelle, in Westchester county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23d, 1862, designated as the 'Military Code of the State of New York,'" reported adversely thereto.

On motion of Mr. Kennedy, said report was laid upon the table.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to provide payment to the Twenty-second Regiment National Guard of the annual appropriation due under section 183 of the Military Code, for the years

1863, 1864 and 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to regulate and restrict the organization of savings banks and institutions for savings," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor."

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act for the relief of 'The Rochester City and Brighton Railroad Company.'"

"An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850."

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond."

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to provide for submitting the amended Constitution to the electors of the State," and as amended recommend its passage, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the trustees of the Newark Cemetery Association in the village of Newark, Wayne county, to take the care of and control the old burying ground in said village adjoining the cemetery grounds of said association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Fultonville, to make said village a separate road district, and to define the distribution between said village and the town of Glen of the moneys raised in said town for highway purposes," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend the charter of the village of Fultonville," and as amended, recommend its passage; said bill was committed to the committee of the whole.

public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county."

"An act to provide for the payment of the State Assessors for their services and expenses for the year 1868."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Graham presented a petition of Wheeler Decker and others, asking that acts of the Legislature of 1807 and 1826, relative to drowned lands along the Wallkill river, be enforced, which was read and referred to the committee on the judiciary.

Mr. Williams presented a petition of W. Roe and others, in favor of an act to repeal or modify the law in regard to the union school of Wolcott village, which was read and referred to the committee on literature.

Also a remonstrance on same subject, which was read and referred to the committee on literature.

Also two petitions of citizens of Wayne county, in favor of the act to encourage the construction of railroads in this State, which were read and referred to the committee on finance.

Mr. Kennedy presented a petition of citizens of Syracuse, for a law to reduce the expenses of the Insurance Department, which was read and referred to the committee on insurance companies.

Also a petition of Joseph A. Scoville for relief, which was read and referred to the committee on claims.

Mr. O'Donnell presented a petition of owners of steam boilers in Lewis county, for repeal of law in relation to lock up valves for steam boilers, which was read and referred to the committee on the judiciary.

Also a memorial and resolutions of a town meeting in Watertown, Jefferson county, for repeal of law providing for the collection of agricultural statistics in this State, which were read and referred to the committee on agriculture.

Mr. Van Petten presented several petitions for altering boundaries of union free school district No. 1, in Wolcott, Huron and Butler, in Wayne county, which were read and referred to the committee on literature.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to establish the office of receiver of taxes for the town of New Rochelle, in Westchester county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23d, 1862, designated as the 'Military Code of the State of New York,'" reported adversely thereto.

On motion of Mr. Kennedy, said report was laid upon the table.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to provide payment to the Twenty-second Regiment National Guard of the annual appropriation due under section 183 of the Military Code, for the years

1863, 1864 and 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to regulate and restrict the organization of savings banks and institutions for savings," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor."

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act for the relief of 'The Rochester City and Brighton Railroad Company.'"

"An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850."

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond."

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the submission to the people of the Constitution proposed by the Convention to revise and amend the Constitution, and for an election of certain judges thereunder," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to provide for submitting the amended Constitution to the electors of the State," and as amended recommend its passage, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the trustees of the Newark Cemetery Association in the village of Newark, Wayne county, to take the care of and control the old burying ground in said village adjoining the cemetery grounds of said association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Fultonville, to make said village a separate road district, and to define the distribution between said village and the town of Glen of the moneys raised in said town for highway purposes," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend the charter of the village of Fultonville," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act to revive an act for the relief of the personal representatives of John Thurman, deceased," reported that they have made some amendments thereto, and amended the title so as to read "An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,' and to provide for the further relief of such representatives or their assigns," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of John Edwards for relief, reported by bill entitled "An act for the relief of John Edwards," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to authorize certain railroad companies to purchase and hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act for the relief of Joseph A. Scoville and Lewis H. Eaton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend section 19, chapter 785 of 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 9th, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to exempt all persons from military duty in the National Guard of the State of New York, who have been honorably discharged from service in the army or navy of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to enable incorporated rural cemetery associations in the town of Hornellsville to acquire title to lands where the owner or owners are unwilling to sell, or where the cemetery associations and the owners cannot agree upon the value thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to increase the powers of commissioners of excise, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to

introduce a bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	O'Donnell	Stanford
Beach	Hale	Morgan	Palmer	Tweed
Bradley	Hubbard	Nichols	Parker	Van Petten
Cauldwell	Kennedy	Nicks	Pierce	Williams
Folger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hale moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled "An act respecting the extension of the charter of certain insurance companies."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The question being on the final passage of said bill.

On motion of Mr. Hale and by unanimous consent, said bill was amended by adding at the end of section 1, the following: "And no longer unless authorized by law or permitted by the Legislature of this State."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Pierce
Beach	Graham	Kennedy	Nicks	Tweed
Bradley	Hale	Mattoon	O'Donnell	Van Petten
Cauldwell	Hubbard	Morgan	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Pierce
Beach	Graham	Kennedy	Nicks	Tweed
Bradley	Hale	Mattoon	Palmer	Van Potten
Cauldwell	Hubbard	Morgan	Parker	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19, 1868," having been announced for a third reading.

On motion of Mr. Kennedy and by unanimous consent, the bill was amended by adding at the end of section 1, the following: "and of section 1, chapter 725 of Laws of 1865."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Hubbard	Morgan	Palmer	Tweed
Cauldwell	Humphrey	Nichols	Parker	Van Petten
Graham	Kennedy	Nicks	Pierce	Williams
Hale	Mattoon	O'Donnell	Stanford	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to evidence in criminal proceedings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nicks	Pierce
Cauldwell	Graham	Kennedy	O'Donnell	Van Petten
Crowley	Hale	Morgan	Palmer	Williams 15

FOR THE NEGATIVE.

Bradley	Humphrey	Parker	Stanford	Tweed 5
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Mr. Parker moved to reconsider the vote, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to facilitate the trial of indiotments," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Nicks	Stanford
Cauldwell	Hale	Mattoon	O'Donnell	Van Petten
Crowley	Hubbard	Morgan	Palmer	Williams
Folger	Humphrey	Nichols	Parker	19

FOR THE NEGATIVE.

Bradley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of 'The Rochester city and Brighton Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Nichols	Palmer	Stanford
Cauldwell	Humphrey	Nicks	Parker	Tweed
Crowley	Kennedy	O'Donnell	Pierce	Van Petten
Graham	Morgan			

17

FOR THE NEGATIVE.

Bradley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Nichols	Stanford
Bradley	Hale	Mattoon	Nicks	Van Petten
Cauldwell	Hubbard	Morgan	O'Donnell	Williams
Folger	Humphrey			

17

FOR THE NEGATIVE.

Parker

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to supply vacancies in the office of justices of the peace in the several towns in this State,' passed April 18, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nicks	Stanford
Beach	Hale	Mattoon	O'Donnell	Tweed
Bradley	Hubbard	Morgan	Parker	Van Petten
Cauldwell	Humphrey	Nichols	Pierce	Williams
Folger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Beach and by unanimous consent, at 12 o'clock the Senate went into executive session for the purpose of confirming notaries.

only, and after some time spent therein the doors of the Senate were opened and business again resumed.

The bill entitled "An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Palmer	Tweed
Beach	Hubbard	Nichols	Parker	Van Petten
Bradley	Humphrey	Nicks	Pierce	Williams
Cauldwell	Mattoon	O'Donnell	Stanford	19

FOR THE NEGATIVE.

Crowley	Folger	Hale	3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Palmer	Tweed
Bradley	Graham	Kennedy	Parker	Van Petten
Cauldwell	Hale	Mattoon	Pierce	Williams
Crowley	Hubbard	Nichols		18

FOR THE NEGATIVE.

Morgan	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Stanford and by unanimous consent, the Assembly bill entitled "An act to amend the charter of the village of Fultonville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Palmer	Tweed
Beach	Hubbard	Morgan	Pierce	Van Petten
Cauldwell	Humphrey	Nicks	Stanford	Williams
Crowley	Kennedy			17

FOR THE NEGATIVE.

Bradley	Hale	Nichols	Parker	4
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Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the East Side Savings Bank of Rochester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate 'The Deaconess Institution of the Evangelical Lutheran Church,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said Department to require special reports of such companies,' passed April 24th, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the International Insurance Company of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The bill entitled "An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Norton	Pierce
Bradley	Hubbard	Morgan	O'Donnell	Stanford
Cauldwell	Humphrey	Nichols	Palmer	Van Petten
Graham	Kennedy	Nicks	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy offered the following resolution:

Resolved, That the Senate hold a session this evening at 7½ o'clock, for consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

Mr. Pierce moved that the bill entitled "An act to authorize 'Smith and Parmelee Gold Company' to issue a preferred stock," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to authorize the appointment of a President

pro tempore of the board of Metropolitan police," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Mr. Crowley moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act with reference to juries in the district courts of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848, and the acts amending or extending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act relative to the collection of taxes in the town of Potsdam, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act for the protection of persons traveling upon Fourth avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to the salaries and pay of the firemen, officers and employees of the Metropolitan Fire Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Hubbard called from the table the concurrent resolution previously offered by him, in the words following:

Resolved, (if the Assembly concur,) That the Senators of the State in Congress be instructed, and the Representatives from this State in Congress be requested, to vote and use their influence to secure the repeal of the Civil Tenure Law.

Mr. Hubbard moved to amend said resolution by striking out the words "Civil Tenure Law" and inserting in lieu thereof the word "Tenure of Office Law."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hubbard then moved to further amend said resolution by adding thereto the following:

Resolved, (if the Assembly concur,) That the Clerk of the Senate be and hereby is directed to transmit by mail a duly certified copy of the foregoing resolution to each of the Senators and Representatives of this State in the Fortieth and Forty-first Congress of the United States."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Morgan moved to further amend the first resolution by adding after the words "Tenure of Office Law," the following :

"The Legislature of New York at the same time express their approval of the act at the time of its passage by Congress."

Mr. Parker moved that the further discussion of said resolution be postponed until after the 4th of March.

The President put the question whether the Senate would agree to said motion to postpone, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Kennedy	Nicks	O'Donnell	Parker	
Humphrey	Morgan				7

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Palmer	Tweed	
Beach	Genet	Mattoon	Pierce	Van Petten	
Bradley	Graham	Nichols	Stanford	Williams	
Cauldwell	Hale	Norton			18

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Morgan	O'Donnell	Van Petten	
Folger	Kennedy	Nicks	Parker	Williams	10

FOR THE NEGATIVE.

Banks	Cauldwell	Hale	Nichols	Stanford	
Beach	Genet	Hubbard	Norton	Tweed	
Bradley	Graham	Mattoon	Pierce		14

Mr. Kennedy moved that said resolutions be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Morgan	Nicks	Parker	Van Petten	
Kennedy					6

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Norton	Stanford	
Beach	Genet	Humphrey	O'Donnell	Tweed	
Bradley	Graham	Mattoon	Palmer	Williams	
Cauldwell	Hale	Nichols	Pierce		19

Pending the discussion of said resolutions,

Mr. Humphrey moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Morgan	O'Donnell	Stanford	
Folger	Kennedy	Nichols	Palmer	Van Petten	
Genet	Mattoon	Nicks	Parker	Williams	
Hale					16

FOR THE NEGATIVE.

Banks	Bradley	Graham	Norton	Tweed	
Beach	Cauldwell	Hubbard	Pierce		9

Whereupon the Senate adjourned.

FRIDAY, FEBRUARY 26, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. O'Donnell presented a petition of owners of burial lots of West Lowville, for act of incorporation, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Banks presented a petition of residents and others on Troy and Albany road, for a police on said road from the Capital police force, which was read and referred to the committee on municipal affairs.

Mr. Thayer presented a petition of citizens of Troy, for a law to reduce the expenses of the Insurance Department, which was read and referred to the committee on insurance companies.

Mr. Morgan presented a remonstrance of J. B. Estes and other citizens of Clinton and Essex counties, against State aid to Plattsburgh and Whitehall railroad, which was read and referred to the committee of the whole.

Mr. Nichols presented a petition of the board of managers of the Society for the Protection of Destitute Roman Catholic Children at the city of Buffalo and others for aid, which was read and referred to the committee on finance.

The Assembly sent for concurrence the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Ovid, Seneca county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nichols and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Stanford
Beach	Hale	Morgan	O'Donnell	Thayer
Bradley	Hubbard	Morris	Parker	Van Petten
Crowley	Humphrey	Nichols	Pierce	Williams
Folger	Keunedy			

22

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same without amendment.

The Assembly returned the bill entitled "An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals to do certain work in and about the Albany basin and the lock leading into the same," with a message that they had concurred in the passage thereof with the following amendment:

Section 3, line 15, engrossed bill, after "April" insert the words "and on the 29th day of June."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford
Beach	Graham	Mattoon	Nicks	Thayer
Bradley	Hale	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten 20

FOR THE NEGATIVE.

Crowley	Humphrey	O'Donnell	Parker	Williams
Folger				6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the town of Granville, in the county of Washington, to elect an additional justice of the peace."

"An act to authorize the South Middletown Cemetery Association to remove certain bodies buried in their cemetery, to sell a portion of their lands and to provide for compensation of lot owners."

"An act for the relief of 'The Rochester City and Brighton Railroad Company.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Palmer, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Newburgh," reported in favor of the passage of the same with amendments.

On motion of Mr. Palmer and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	O'Donnell	Stanford
Beach	Humphrey	Morris	Palmer	Tweed
Bradley	Kennedy	Nichols	Parker	Van Petten
Crowley	Mattoon	Nicks	Pierce	19

FOR THE NEGATIVE.

Williams	1
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On motion of Mr. Palmer and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly forthwith, with a message informing that the Senate have concurred in the passage of the same with amendments.

Mr. Graham, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 334 of Laws of 1866, entitled 'An act in relation to the Troy and Albia Horse Railroad Company,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for maintaining and ditching wet lands in the village and town of Goshen, New York, and to widen, alter and deepen the stream in said village known as the Rio Grande and the tributaries thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the 'Andrew Jackson Club' of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartout," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the petition of Aber J. Pratt and others of the towns of Middlefield and Westford, Otsego county, for a bill to authorize change of course of Westville creek, reported by bill entitled "An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the erection and maintenance of watering troughs in the public highways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to provide for submitting the amended Constitution to the electors of the State."

The Assembly returned the resolution relative to adjournment of the Legislature from Friday the 26th inst., to Monday the 8th day of March next, at 7½ o'clock P. M., with a message that they had concurred in the passage of the same without amendment.

A communication was received from the Secretary of State, in response to a preamble and resolution adopted by the Senate on the 16th instant, requesting that officer to report what number of documents specified therein have been received at his office, which was laid on the table and ordered printed.

(See Doc. No. 46.)

Mr. Morgan, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," reported in

favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Hale the Assembly bill entitled "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartout," was recommended to the committee on claims.

Mr. Parker, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act making appropriations for deficiencies in existing appropriation to meet existing claims and demands against the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend chapter 531 of the Laws of 1866, entitled 'An act to amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212 of the Independent Order of Odd Fellows of Northern New York, in the village of Albion, in the county of Orleans,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to enable the city of Buffalo to procure a supply of water for the Main and Hamburg street canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Tontine Mutual Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Insurer's Indemnity Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the town of Dunkirk to construct a gravel stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk,' passed April 30, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Nichols and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to authorize certain members of St. John's Church, Buffalo, to organize a separate corporation, and to provide for a division of the property.

On motion of Mr. Nichols and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Nichols	Stanford
Bradley	Hale	Mattoon	Nicks	Tweed
Cauldwell	Hubbard	Morgan	Parker	Van Petten 20

FOR THE NEGATIVE.

Crowley

1

On motion of Mr. Nichols and by unanimous consent said bill was ordered transmitted to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same without amendment.

Mr. Genet offered the following resolution :

Resolved, That in addition to the number of copies of the report of the Inspectors of State Prisons, heretofore ordered printed, there be printed (500) five hundred copies of that portion relating to the Asylum for Insane Convicts, for the Superintendent thereof.

Ordered, That said resolution be referred to the committee on public printing.

The order of business of "motions and resolution" having been reached, The president announced the question to be upon the adoption of the resolutions as amended, in the words following :

Resolved, (if the Assembly concur,) That the Senators of this State in Congress be instructed, and the Representatives from this State in Congress be requested, to vote and use their influence to secure the repeal of the Tenure of Office Law.

Resolved, (if the Assembly concur,) That the Clerk of the Senate be and hereby is directed to transmit by mail, a duly certified copy of the foregoing resolution to each of the Senators and Representatives of this State in the Fortieth and Forty-first Congress of the United States.

Mr. Morgan moved to amend said first resolution by substituting after the word "concur" therefor the following :

"That the law of the United States, entitled 'An act regulating the tenure of certain civil offices,' passed March 2, 1867, though necessarily growing out of the state of things then existing, and passed for the laudable purpose of restraining the improper exercise of executive power, has by the lapse of time and by the change of circumstances become unnecessary ; and that our Senators in Congress be instructed, and our Representatives be requested to vote and act for its repeal."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Morgan	Parker	Van Petten
Folger	Kennedy	Nicks	Stanford	Williams
Hale	Mattoon	O'Donnell	Thayer	14

FOR THE NEGATIVE.

Banks	Cauldwell	Graham	Morris	Pierce
Beach	Genet	Hubbard	Nichols	Tweed
Bradley				11

Mr. Morris moved to reconsider said vote.

Debate was had thereon, when

Mr. Genet moved that the question be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parker called from the table the preamble and resolution previously offered by Mr. Mattoon, in the words following:

Whereas, In the present very delicate state of our relations with Great Britain, the most momentous consequences may hang upon the choice of a representative of this Government at the British Court; and whereas the position is one that calls for a rare union of qualities, such as firmness of purpose with suavity and evenness of temper, great knowledge of international law with courtly manners and polished address, long practice in the habit of conducting controversies without heat or excitement, with a fastidious and delicate regard to the rights and feelings of opponents; therefore,

Resolved, That the Senate earnestly recommend to the President elect the appointment of that model American gentleman and statesman, Horace Greeley, to the position of Minister to the Court of St. James.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Parker moved that said resolution be returned to the Senator offering the same, and that all reference thereto upon the journal of the Senate be expunged.

The question being on adoption of the motion of Mr. Parker,

Mr. Hale called for a division of the question: first, upon returning the preamble and resolution to the Senator offering it; second, upon expunging all reference thereto from the journal.

The President put the question whether the Senate would agree to that portion returning said preamble and resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Hale	Nicks	Pierce	Twéed	14
Folger	Kennedy	Palmer	Stanford	Van Petten	
Genet	Morgan	Parker	Thayer		

FOR THE NEGATIVE.

Beach	Graham	Mattoon	Nichols	Williams	9
Cauldwell	Humphrey	Morris	Norton		

The question then being on expunging all reference thereto from the journal.

Mr. Morris moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Morris	Norton	4
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FOR THE NEGATIVE.

Bradley	Hale	Nichols	Parker	Thayer	17
Cauldwell	Humphrey	Nicks	Pierce	Twéed	
Folger	Kennedy	Palmer	Stanford	Williams	
Genet	Morgan				

The President then put the question whether the Senate would agree to

that portion expunging from the journal, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Kennedy	Palmer	Pierce	Van Petten	
Genet	Nicks	Parker	Thayer	Williams	10

FOR THE NEGATIVE.

Beach	Graham	Morgan	Nichols	Stanford	
Bradley	Hale	Morris	Norton	Tweed	
Cauldwell	Mattoon				12

Mr. Beach moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Genet				2
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FOR THE NEGATIVE.

Cauldwell	Kennedy	Morris	Norton	Thayer	
Folger	Mattoon	Nichols	Parker	Van Petten	
Humphrey	Morgan	Nicks	Stanford	Williams	15

The Assembly sent for concurrence the bill entitled as follows :

"An act to authorize the annual town elections of the town of Sodus, in the county of Wayne, to be held by election districts," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, said bill was ordered to a third reading.

Mr. Genet moved that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Humphrey	Nicks	Pierce	Tweed	
Bradley	Kennedy	Norton	Stanford	Van Petten	
Graham	Mattoon	Palmer	Thayer	Williams	15

FOR THE NEGATIVE.

Cauldwell	Genet	Morris	Nichols	Parker	
Folger					6

Mr. Williams moved to reconsider said vote.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Nicks	Stanford	
Bradley	Graham	Morgan	Norton	Thayer	
Cauldwell	Humphrey	Morris	Palmer	Tweed	
Folger	Kennedy	Nichols	Pierce	Williams	20

FOR THE NEGATIVE.

Parker					1
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On motion of Mr. Parker and by unanimous consent, the Senate went into executive session for the consideration of notaries public only, and after some time spent therein the doors were opened and legislative business again resumed.

In pursuance of previous notice, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to regulate the tariff of freight passing over the canals and the railroads parallel thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the State Treasurer 2,000 copies of his annual report, 500 of which shall be bound in cloth.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon offered the following resolution:

Resolved, That the Clerk of the Senate be directed to furnish to each Senator and to the Clerk of the Senate fifty copies of the Red Book, and to each of the officers, clerks and reporters of the Senate twenty copies.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Canldwell	Kennedy	Morris	Norton	Thayer	
Humphrey	Mattoon	Nicks	Palmer	Van Petten	10

FOR THE NEGATIVE.

Bradley	Folger	Nichols	Pierce	Twced	
Crowley	Graham	Parker			8

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to amend the charter of the village of Fultonville."

"An act to amend the charter of the city of Newburgh."

Ordered, That the Clerk return said bill to the Assembly.

Also, the bill entitled as follows:

"An act to authorize the State Engineer and Surveyor and the Canal Commissioner in charge of the eastern division of the State canals, to do certain work in and about the Albany basin and the lock leading into the same."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Van Petten presented the 82d annual report of the Regents of the University, which was laid on the table and ordered printed.

(See Doc. No. 49.)

On motion of Mr. Humphrey, the Senate adjourned.

MONDAY, MARCH 8, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The Journal of Friday, Feb. 26th, was read and approved.

The Private Secretary of the Governor appeared in the Senate chamber and presented a message from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, March 8, 1869. }

To the Senate: I return without my signature a bill entitled "An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county," which was passed by the Senate February 16, 1869, and in the Assembly February 24, 1869.

There are general laws (see Revised Statutes and chapter 476 of the Laws of 1859,) for providing for filling vacancies in the office of justice of the peace throughout the State.

If the general laws are defective the public interest demands that they be amended. The time of the Legislature should not be occupied, nor should the Senate books be incumbered with special acts providing for filling such vacancies in particular towns.

Again, this bill devolves the power of appointment, in case of vacancy, not upon any officers definitely described, but simply upon "the board, as now provided by law." The general laws prescribe that these vacancies shall be filled by warrant, under the hands and seals of certain town officers, or of a majority of them; but these officers are not constituted a "board," nor recognized as a "board" for such purpose. I call the attention of the Senate to this inaccuracy in the terms of the bill, because it affords an illustration of the evils of special legislation. Careful examination is not usually given to bills, and the result is the frequent enactment of laws not only unnecessary but ill-considered.

The bill also declares, among other things, that after willful refusal or neglect of duty, for the space of thirty days, by a justice of the peace in Lowville, his office shall be deemed vacant." It seems to contemplate no trial or investigation. The Constitution provides (Article 6, section 17,) that a justice can be removed from office only after due notice, and an opportunity of being heard in his defense, by such county, city or State courts as may be designated by law, for causes to be assigned in the order of removal. Until this legal proceeding be consummated, the office cannot, it appears to me, be deemed vacant.

I object to the bill, therefore, not only because it proposes unnecessary special legislation, but because it is, in my judgment, unconstitutional.

JOHN T. HOFFMAN.

On motion of Mr. Folger, the message was laid upon the table.

Mr. Folger presented a remonstrance of citizens of Yates county, against extension of the charter of the Branchport Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. Campbell presented a petition of the Schenectady and Utica Railway Company, for an extension of time to begin the construction of its road, which was read and referred to the committee on railroads.

Mr. Cauldwell presented a remonstrance of Westchester Agricultural Society, against the repeal of "An act to authorize said Society to mortgage, lease or sell real estate," which was read and referred to the committee on the judiciary.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill in relation to life insurance companies.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to legalize the acts of William Salisbury, a justice of the peace of the town of Catskill, Greene county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Mr. Beach moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act authorizing cities and incorporated villages to enlarge burial grounds and to levy taxes for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Westside Savings Bank, to be located in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Morrisania Waterworks Company, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend chapter 206 of the Laws of 1863, in relation to evidence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend section 62, part 2, title 3, chapter 6, article 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the appointment of a President, pro tempore, of the board of Metropolitan police."

"An act to authorize Smith and Parmelee Gold Company to issue a preferred stock."

"An act to legalize the acts of William Salisbury, a justice of the peace of the town of Catskill, Greene county."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of the first named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported in favor of the passage of the two last named bills severally, with an amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize and require the board of supervisors of the county of Livingston, to audit and allow the claim of Geo. W. Phelps for repairing a bridge over the Genesee river, at Cuylerville, and to levy a tax for the payment of the amount allowed thereon."

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864, as amended by subsequent acts."

"An act to incorporate the Prospect Park Hotel Company."

After some time spent therein the President resumed the chair, and Mr. Crowley, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Crowley, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the same committee, reported in favor of the passage of the last named bill with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Banks, the Senate adjourned.

TUESDAY, MARCH 9, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of yesterday was read and approved.

Mr. Murphy presented a remonstrance of 500 property owners of the 8th and 22d wards of Brooklyn, against cutting a Canal across 3d avenue in that city, which was read and referred to the committee on municipal affairs.

Mr. Hale presented a remonstrance against law authorizing change of the course of the Westville creek, Otsego county, which was read and referred to the committee of the whole.

Mr. Folger presented four petitions from Ontario county, for passage of Ontario County Savings Bank bill, which were read and referred to the committee on banks.

Mr. Williams presented three petitions of citizens of Wayne county, for passage of the law giving State aid to railroads, which were read and referred to the committee on finance.

Mr. Edwards presented a petition of fifty-four residents of New Lots, for law authorizing Atlantic avenue railroad to run dummy cars from East New York to Flatbush avenue, which was read and referred to the committee on railroads.

Mr. Murphy presented a petition on same subject, which was read and referred to the committee on railroads.

Mr. Murphy presented a petition of inhabitants of New Lots, in Kings

county, praying that the Mutual Savings Bank of Brooklyn may be permitted to locate in that town, which was read and referred to the committee on banks.

Also a remonstrance of owners of property in Dean street, Brooklyn, against a bill authorizing the laying out and operating of a street railroad from Fulton ferry through said street to Prospect park, which was read and referred to the committee on railroads.

Mr. Kennedy presented a petition of citizens of Syracuse, for the removal and construction of certain canal bridges in said city, which was read and referred to the committee on canals.

Mr. Graham presented a remonstrance of citizens of Middletown, against bonding said town in aid of the Oswego and New York Midland railroad, which was read and referred to the committee on railroads.

Mr. Genet presented a remonstrance of tax-payers of the town of Saratoga, against bonding said town in aid of the Mechanicsville railroad, which was read and referred to the committee on railroads.

Mr. Tweed presented the annual report of the Commissioners of Fisheries of the State of New York, which was laid on the table and ordered printed.

(See Doc. No. 51.)

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the appointment of a President, pro tempore, of the board of Metropolitan police."

"An act to legalize the acts of William Salisbury, a justice of the peace of the town of Catskill, Greene county."

"An act to incorporate the Prospect Park Hotel Company."

"An act to authorize Smith & Parmelee Gold Company to issue a preferred stock."

Mr. Folger moved to recommit the Assembly bill entitled "An act to incorporate the 'Andrew Jackson Club' of the city of New York," to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hale moved to recommit the bill entitled "An act to authorize the change of course of Westville creek in the towns of Middlefield and Westford, Otsego county," to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to establish a Metropolitan police district and to provide for the government thereof, passed April 15, 1857,' passed April 10, 1860,' passed April 25, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Brooklyn Young Men's Christian Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Morgan asked and obtained leave to intro-

duce a bill entitled "An act to legalize the sale of infants' real estate in the case of Benjamin Curtis, and to extend the jurisdiction of the courts in the case of the will of Philander Curtis, late of the town of Parma, Monroe county, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the appointment of an additional number of notaries public in the State of New York,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act in relation to the new passenger depot of the New York and Harlem Railroad Company at 42d street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to appoint Commissioners of Fisheries for the State of New York,' passed April 22, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley and to Patterson's Corners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the removal and construction of certain canal bridges in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing the 'Syracuse and Onondaga

Stone Quarry Railroad Company,' to purchase and acquire title to a stone quarry on the Indian Reservation in the county of Onondaga, and certain lands adjacent thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to incorporate the Waddington Agricultural Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to legalize the elections of justices of the peace in the town of Potsdam, St. Lawrence county, and to amend the 'Act relating to the 'fifth justice' in said town,' passed Feb'y 7, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend chapter 291 of the Laws of 1867, passed April 9, 1867, in relation to schools in the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The bill entitled "An act to authorize the appointment of a President, pro tempore, of the board of Metropolitan police," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Pierce
Bradley	Crowley	Hubbard	Morgan	Stanford
Campbell	Edwards	Humphrey	Nicks	Tweed
Cauldwell	Graham	Kennedy	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the acts of William Salisbury, a justice of the peace of the town of Catskill, Greene county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Kennedy	Parker
Bradley	Creamer	Graham	Morgan	Pierce
Campbell	Crowley	Hubbard	Nichols	Stanford
Cauldwell	Edwards	Humphrey	Nicks	Williams

20

On motion of Mr. Beach and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly this day, with a message requesting their concurrence therein.

The bill entitled "An act to incorporate the Prospect Park Hotel Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Pierce
Beach	Creamer	Hubbard	Morgan	Stanford
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Parker	Williams
Cauldwell	Graham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Chapman moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled "An act in relation to evidence in criminal proceedings."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Chapman then moved to reconsider the vote by which the bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	Pierce
Beach	Crowley	Hale	Morgan	Stanford
Campbell	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Folger	Humphrey	Nicks	Williams
Chapman	Genet	Kennedy		

23

FOR THE NEGATIVE.

Bradley	Murphy	Parker
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for submitting the amended Constitution to the electors of the State," being announced for a third reading,

On motion of Mr. Folger, said bill was recommitted to the committee on the judiciary, with power to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court hereafter to be elected."

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

"An act to amend an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 25, 1864."

After some time spent therein the President resumed the chair, and Mr. Edwards, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Murphy moved that the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was recommit-
ted the bill entitled "An act to provide for submitting the amended Constitution to the electors of the State," with power to report complete, reported the same complete, with an amendment, striking out the words "property qualification" at end of section 3, and inserting in lieu thereof the word "suffrage," which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners and assessments for the city and county of New York," reported in writing, and in favor of the passage of the same with amendments.

(See Doc. No. 50.)

Mr. Crowley moved that said bill be referred to the first committee of the whole.

Mr. Murphy moved to amend by adding at the end thereof the words "after said bill shall have been printed and upon the files one day."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Nichols moved that the bill entitled "An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Hale moved that the bill entitled "An act for the more effectual suppression and punishment of bribery," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Campbell	Genet	Humphrey	Murphy	
Beach	Cauldwell	Hale	Mattoon	Parker	
Bradley	Folger	Hubbard	Morgan	Stanford	15

FOR THE NEGATIVE.

Chapman	Crowley	Kennedy	Nicks	Tweed	
Creamer	Graham	Nichols	Pierce		9

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Inspec-

tors of State Prisons, reported in favor of the adoption of the following resolution :

Resolved, That in addition to the number of copies of the report of the Inspectors of State Prisons heretofore ordered printed, there be printed 500 copies of that portion relating to the Asylum for Insane Convicts, for the use of the Superintendent thereof.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Crowley, the Senate adjourned.

WEDNESDAY, MARCH 10, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dyer.

The journal of yesterday was read and approved.

Mr. Pierce presented a petition of S. S. Powell, Henry Ward and others, for an appropriation to the Eclectic Medical Dispensary of the city of Brooklyn, which was read and referred to the committee on finance.

Mr. Crowley presented four remonstrances of citizens of the village of Edgewater, against the proposed amendments to the charter of said village, which were read and referred to the committee on municipal affairs.

Mr. Graham presented a petition of W. M. Sayer and others, for repeal of chapter 812 of the Laws of 1868, being "An act to authorize placing of obstruction at junction of big ditch with Walkkill river," which was read and referred to the committee on internal affairs of towns and counties.

Mr. Crowley presented two petitions in favor of the passage of the proposed amendments to the charter of the village of Edgewater, which were read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition of citizens of the city of Binghamton, for an amendment to the school law of said city, which was read and referred to the committee on literature.

Mr. Williams presented four petitions from citizens of Wayne county, in favor of the passage of the general act to give State aid to railroads, which were read and referred to the committee on finance.

Mr. Kennedy presented a petition of Louisa R. Pettit for relief, which was read and referred to the committee on claims.

Mr. O'Donnell presented a petition of H. E. Mayhew and others, of Utica, in favor of the passage of a law prohibiting any board of excise in any town or city from granting license whenever a majority of the taxpayers representing a majority of the taxable property therein shall remonstrate against license to sell intoxicating liquors, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Parker presented a petition of citizens of St. Lawrence county, for the improvement of the St. Regis river, which was read and referred to the committee on finance.

Mr. Pierce presented a petition of Mary Robertson and others, for indemnity for lands at Rouse's Point ceded to the United States, which was read and referred to the committee on the judiciary.

Mr. Hubbard presented four petitions of citizens of Chenango county, for the repeal of certain laws granting privileges and immunities to the Norwich and Oxford Plankroad Company, which were read and referred to the committee on roads and bridges.

The Assembly sent for concurrence the bills entitled as follows :

"An act to authorize the erection of a soldiers' and sailors' monument in the city of New York, and to authorize the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to release certain escheated lands to the legatees of Mary Milroy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Irish Brigade Association in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sale by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7th, 1859; and for the purpose of further providing for the better collection of county taxes in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to provide for the incorporation of the village of Akron, Erie county,' passed December 7th, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepel, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the Comptroller to pay the amount awarded to Charles Weiss, in accordance with chapter 626 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16th, 1844," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to enlarge the boundaries of the village of Goshen, and to confer certain powers and duties on the board of trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1st, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge in the town of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to open a square to be known as Lafayette square, in the city of Brooklyn,' passed April 23d, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to prevent injury to the bridge over the Toughnioga river in the town of Marathon in the county of Cortland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of Amity street to Main street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22d, 1867, as amended by chapter 722 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the electors of the town of Fort Ann, Washington county, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to legalize the action of the town meeting of the town of Canton, held February 9, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the village of Macedon, and appropriating moneys therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to amend the act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852, passed March 7, 1865,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

• "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare on their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for supplying a deficiency in the appropriation for the maintenance of the State prisons, and for paying an award pursuant to chapter 633 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village,' passed April 3, 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relating to the bridges across the Mohawk river at Fort Plain," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was recommitted the bill entitled "An act to amend 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864, as amended by subsequent acts."

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate 'The United States Railroad Conductors' Life Insurance Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to authorize the ditching, draining, sewerage and filling in of lands in the village of Edgewater, and of the town of Southfield," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Knights of St. Patrick of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend the charter of the People's Fire Insurance Company of the city of New York," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to establish a stage route from the Astor house to the Central park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to provide for the consolidation of certain school districts in the town of Norwich, in the county of Chenango," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to enable 'The Trustees of the village of Oxford,' in Chenango county, to raise money for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate 'The National Burglar Insurance Company' of the city of New York,' passed May 8, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate 'The New York Health and Accident Insurance Company,' passed May 8, 1868,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act in relation to the Brooklyn City and Newtown Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the appointment of commissioners to locate a new State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

In pursuance of previous notice, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act for the relief of the 'Hornell Library Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to erect a new county from parts of the

county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

On motion of Mr. Nicks, said bill was ordered printed.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to release to the widow and children of Thomas Wall, deceased, all the estate, right, title and interest of the people of the State of New York, of, in and to certain real estate in the town of Phelps, county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Stock Transfer Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act for the relief of Louisa R. Pettit and John Green, Jr.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to create a board of trustees for the town of West Farms, in the county of Westchester, and to define their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the town of Yonkers to lay out and make highways, and to assess the expense thereof on the property benefited, and to issue improvement bonds therefor, and to establish and change grades of roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to provide for submitting the amended Constitution to the electors of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Pierce	18
Chapman	Folger	Mattoon	O'Donnell	Stanford	
Creamer	Hale	Morgan	Parker	Williams	
Crowley	Humphrey	Nichols			

FOR THE NEGATIVE.

Beach	Genet	Hubbard	Norton	Tweed	7
Cauldwell	Graham				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864, as amended by subsequent acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Kennedy	Norton	Tweed
Cauldwell	Graham	Mattoon	O'Donnell	Williams
Chapman	Hale	Morgan		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley moved that the bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York," be recommitted to the committee on municipal affairs, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented the annual report of the Commissioners of Emigration, which was laid on the table and ordered printed.

(See Doc. No. 57.)

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 25, 1864."

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857,' passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Norton, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Beach moved that at 1½ o'clock the Senate go into executive session, for the confirmation of notaries only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to remove Genesee college, and to provide for the separation of its financial affairs from the Genesee Wesleyan seminary."

After some time spent therein the President resumed the chair, and Mr. Nichols, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The Assembly returned the bill entitled "An act in relation to school district No. 1, of the town of Seneca, Ontario county," with a message that they had concurred in the passage thereof with the following amendments:

Strike out the words "Saturday, the twenty-seventh," in line 22 of section 2, engrossed bill, and insert "twentieth"; also, in line 23 of same section, strike out "February" and insert "March."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Mattoon	O'Donnell
Beach	Crowley	Hubbard	Morgan	Parker
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Folger	Kennedy	Nicks	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The hour of one and one-half o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business again resumed.

On motion of Mr. Bradley, the Senate adjourned.

THURSDAY, MARCH 11, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of yesterday was read and approved.

Mr. Stanford presented five remonstrances against the passage of an act entitled "An act to amend chapter 507 of the Laws of 1867, in relation to certain highway and certain highway taxes in the county of Hamilton," which were read and referred to the committee on roads and bridges.

Mr. Morgan presented a petition of citizens of Rochester, for a reduction of the expense of the Insurance Department, which was read and referred to the committee on insurance companies.

Mr. Parker presented a petition of citizens of St. Lawrence county, for the improvement of the St. Regis river, which was read and referred to the committee on finance.

Mr. Edwards presented a petition of twenty residents or property owners of the towns of New Lots and Woodhaven, in favor of a law authorizing the owners or lessees of the Atlantic avenue railroad track to run dummy cars from East New York to Flatbush avenue, which was read and referred to the committee on railroads.

Mr. Folger presented a remonstrance of citizens of Yates county, against the passage of the bill to extend the charter of the Penn Yan and Branchport Plankroad Company, which was read and referred to the committee on roads and bridges.

Mr. Pierce presented a petition of Kings and Queens counties, in favor of a law authorizing the owners or lessees of the Atlantic avenue railroad track to run dummy cars from East New York to Flatbush avenue, which was read and referred to the committee on railroads.

Mr. Humphrey presented a petition of citizens of Warsaw, Wyoming county, for the locating of an insane asylum in Western New York, which was read and referred to the committee on charitable and religious societies.

Mr. O'Donnell presented a remonstrance of property owners, against running the track of Broadway Surface railroad through East 72d street, New York city, or of any other railroad through said 72d street, which was read and referred to the committee on railroads.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the construction of a bridge across the Chenango canal in the village of Norwich."

"An act to amend an act entitled 'An act to incorporate the members of the Genesee Annual Conference,' passed April 13, 1819."

"An act conferring additional powers upon the University of the city of New York."

"An act for the relief of Hiram Weeks."

"An act to amend chapter 279 of the Laws of 1868, entitled 'An act to incorporate the Public Exchange.'"

"An act to provide for raising by tax on the taxable property in the town of Salem, Washington county, five thousand dollars by installments with annual interest, to be applied towards the construction of a new court house in said town."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly also returned the bill entitled "An act in relation to school district No. 1, of the town of Seneca, Ontario county."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act fixing the time for the holding of elections for the election of trustees, town officers and members of the board of education of the school district of the town of Morrisania, county of Westchester, and for regulating such elections," with a message that they had concurred in the passage of the same, with the following amendment:

At the end of seventh section add the following:

"From and after the holding of any election under this act, the term of office of all members of the board of education then in office shall expire on the last Tuesday of March in the year in which their terms of office shall expire as provided by the law under which they have been or shall be elected, and the term of office of all members of the board of education that shall be elected under this act, shall commence on the day next succeeding their election and shall continue for three years. The board of education shall not be required to hold any annual district meeting, but the report of their doings as such board now required by law to be made at their annual district meetings shall be published in the manner now required by law. Nothing in this act contained shall be deemed to affect any existing law, authorizing or making provision for the hold

ing of district meetings in relation to the selection of sites for school buildings and the raising of moneys for the erection of the same, nor for any purpose other than for the election of members of the board of education; at all special district meetings held for any purpose, the board of education shall from time to time appoint three of their own number to act as inspectors of such special elections."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	Pierce
Beach	Genet	Mattoon	Nichols	Stanford
Cauldwell	Graham	Morgan	Nicks	Thayer
Cramer	Humphrey	Morris	Parker	Tweed

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly sent for concurrence the bill entitled as follows:

"An act to provide means for the extension of the Chenango canal, pursuant to chapter 115 of the Laws of 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the concurrent resolution in relation to furnishing arms to the Cornell University, with a message that they had concurred in the amendments made thereto by the Senate.

Ordered, That the Clerk return said resolution to the Assembly.

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, *March 10 1869.*

Resolved, (if the Senate concur,) That the flags used by the 97th Regiment New York Volunteers in the late war, and which are now deposited in the Bureau of Military Record, be loaned to the surviving officers and men of said regiment, to be used on the occasion of their contemplated re-union to be held at Brownville, March 12, 1869.

By order.

EDWARD F. UNDERHILL, *Clerk.*

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and resolution adopted.

On motion of Mr. O'Donnell and by unanimous consent, said resolution was ordered returned to the Assembly this day, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18th, 1861," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was

referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16th, 1844," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to open a square to be known as Lafayette square, in the city of Brooklyn,' passed April 23d, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to revise the charter of the city of Auburn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted, retaining its place on general orders, the bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the 'Passenger Transit Company,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17th, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act further to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,' passed April 15, 1857, passed April 16, 1859, passed April 5, 1861," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the Wallabout improvement in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the completion of the laying out and regulation of Atlantic avenue, in the city of Brooklyn, authorized by chapter 92 of the Laws of 1860, and the act amendatory thereof, and for the collection of the expenses directed by the said acts to be levied and collected upon the lands on said avenue," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to provide for the completion of Atlantic avenue, in the city of Brooklyn, and for the collection of the expenses of

the same as provided by law," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of residents and others on Troy and Albany road for a police force on said road, reported by bill entitled "An act to amend an act entitled 'An act to establish a Capital Police district and provide for the government thereof,' passed May 8th, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act extending the canal of the Brooklyn Improvement Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act to release to the widow and children of Thomas Wall, deceased, all the estate, right, title and interest of the people of the State of New York, of, in and to certain real estate in the town of Phelps, county of Ontario," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act confirming the title of the First Congregational Society of Saratoga Springs to the real estate which has been conveyed to it, and authorizing said Society to sell a portion of its property and to lease any portion thereof, and confirming all leases thereof made," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act with reference to juries in the district courts of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon offered the following resolution:

Resolved, That there be printed for the use of the Senate 4,000 copies of the evidence and report of the select committee of the Senate appointed to investigate alleged attempts to influence legislation in the Senate in reference to railroad companies by corrupt and unlawful means, and that the committee on printing be directed to have such printing done and delivered to the Sergeant-at-Arms of the Senate within ten days.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for draining swamp lands in the towns of Lima, Livonia and Avon, in the county of Livingston,' passed April 20, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Tritonen Schnetzen Company of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release certain escheated

lands to the legatees of Mary Milroy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the action of the town meeting of the town of Canton, held February 9th, 1869," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the bill entitled "An act in relation to the legislative printing, and to exclude the printing superfluous matter," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act for the protection of bridges over the Chemung river at the town of Corning, in the county of Steuben," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Henry Rose and others, for "An act to continue the corporate existence of the Branchport and Penn Yan plankroad," reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Barker and Chenango Bridge Company,' passed April 8, 1842, and extending the charter of said Barker and Chenango Bridge Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to amend 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Parker, the committee on public health and medical societies and colleges was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the College of Veterinary Surgeons,' passed April 19th, 1862," and the same was referred to the committee on finance.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled "An act to incorporate the East India Telegraph Company," passed April 25, 1864."

Mr. Murphy, from the committee on the judiciary, to which was referred the petition of certain inhabitants of Fort Hamilton, for an amendment of the law in relation to draining the swamps in New Utrecht, reported by bill entitled "An act to divide the district designated by the act entitled 'An act to promote the public health in the town of New Utrecht, in the county of Kings,' passed April 13th, 1859, and to provide for the draining of the ponds and other places in such districts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the select committee appointed by the Senate in 1868, to investigate the charges of fraud and corruption in the passage of certain railway bills in 1868, reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 52.)

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Arcade Railway Company in the city of New York.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the sale of certain lands in Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to widen and improve Ninth avenue and Fifteenth street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the charter of 'The Prospect Park Fair Ground Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to widen and improve Franklin avenue, in the town of Flatbush," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to lay out, open and improve a street in the Plaza of Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to the widening of the Coney Island plankroad, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to facilitate the transportation of freight and to regulate the prices thereof on certain railroads of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh land,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to regulating and grading the Eighth avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to create the Manhattan Eye and Ear Hospital, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to the Nursery and Child's Hospital of the city of New York,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Presbyterian Home for aged Women in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act in relation to the New York Steam Transit Company," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to widen, open and improve Douglas and President streets westward from New York avenue, and otherwise alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to open, widen and improve Underhill avenue in the city of Brooklyn, as an approach to Prospect park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the White Plains Waterworks Company," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns to be called the Southern Boulevard,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to amend an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 25th, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Mattoon	Parker
Cauldwell	Folger	Humphrey	Morgan	Stanford
Chapman	Genet	Kennedy	Nicks	Williams
Creamer	Graham			

17

FOR THE NEGATIVE.

Crowley	Nichols	O'Donnell	Tweed	
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize Smith & Parmelee Gold Company to issue a preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Folger	Humphrey	Morris	Stanford
Creamer	Graham	Mattoon	Nicks	Williams
Edwards	Hale	Morgan	Pierce	

14

FOR THE NEGATIVE.

Campbell	Crowley	Kennedy	Nichols	Parker
Chapman	Genet	Murphy	O'Donnell	Tweed

10

Mr. Morgan moved that the vote on the final passage of said bill be reconsidered, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Edwards moved that the Assembly bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Mattoon, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Niagara Ship Canal Company," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Chapman offered the following resolution :

Resolved, That a respectful message be sent to the Assembly requesting them to transmit to the Senate all papers and maps on the Assembly files in relation to the free schools in the village of Wolcott, and that when received they be referred to the committee on literature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Kennedy offered the following resolution :

Resolved, That 300 copies of the report of the Canal Appraisers, with the accompanying schedules, be printed for the use of the Appraisers.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Genet moved to reconsider the vote by which the motion of Mr. Edwards that the Assembly bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861," be referred to the first committee of the whole was lost.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Edwards, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861."

"An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York."

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of the passage of the first named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Pierce, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made a special order for 7½ o'clock

this evening, and that a special session be held at that time for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to enable incorporated rural cemetery associations in the town of Hornellsville to acquire title to land where the owner or owners are unwilling to sell or where the cemetery associations and the owners cannot agree upon the value thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Kennedy, the Senate went into executive session for the confirmation of notaries only, and after some time spent therein the doors were opened and legislative business resumed.

On motion of Mr. Nicks, the Senate took a recess until 7½ o'clock, P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The President announced the special order, being the bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported that they have made some progress in the same, and finding a quorum not present have directed their chairman to report that fact to the Senate.

Mr. Stanford moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Candwell	Hale	Nichols	Stanford	Thayer	
Edwards	Morris	O'Donnell			8

FOR THE NEGATIVE.

Chapman	Kennedy	Mattoon	Morgan	Pierce	
Humphrey					6

The call having been ordered, the President directed the Sergeant-at-Arms to permit no Senator to enter the circle, and to proceed to arrest and bring before the bar of the Senate the absent Senators.

The Sergeant-at-Arms appeared in the Senate with Senator Banks, who rendered his excuse, and on motion of Mr. Hale was excused.

The Sergeant-at-Arms appeared in the Senate with Senator Beach, who rendered his excuse.

Mr. Kennedy moved that he be excused.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Stanford
Cauldwell	Hale	Kennedy	Nichols	Thayer
Chapman	Hubbard	Mattoon	Pierce	

14

FOR THE NEGATIVE.

Morgan	O'Donnell	
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2

And Mr. Beach was excused.

On motion of Mr. Stanford, further proceedings under the call of the Senate were suspended.

Mr. Hale moved that the Senate proceed in committee of the whole to the consideration of the special order.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also, an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857,' passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Hubbard, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the select committee appointed in 1868, to investigate alleged attempts to influence legislation by corrupt and unlawful means, reported in favor of the adoption of the following resolution:

Resolved, That there be printed forthwith for the use of the Senate four thousand copies of the evidence and report of the select committee of the Senate appointed in 1868, to investigate alleged attempts to influence legislation in the Senate, in reference to railroad companies, by corrupt and unlawful means.

Mr. Folger moved to amend by striking out the word "four" and inserting in lieu thereof the word "one."

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative.

Mr. Kennedy moved to amend the amendment by striking out the word "one" and inserting in lieu thereof the word "two."

The President put the question whether the Senate would agree to said motion of Mr. Kennedy, and it was decided in the affirmative.

Mr. Stanford moved to further amend said resolution by adding at the end thereof the words "400 of which shall be bound."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Mr. Folger presented three petitions of citizens of Seneca county, for tolls on railroads, which were read and referred to the committee on railroads.

Mr. Creamer presented a petition of the doormen of the Metropolitan police, asking for an increase of compensation, which was read and referred to the committee on municipal affairs.

On motion of Mr. Nichols, the Senate adjourned.

FRIDAY, MARCH 12, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The Journal of yesterday was read and approved.

Mr. Kennedy presented a petition of citizens of Rochester, for repeal of charter of the People's Safe Deposit Company, which was read and referred to the committee on banks.

Also a petition of citizens of New York, on same subject, which was read and referred to the committee on banks.

Mr. Williams presented a petition for amendment of charter of Asbury Life Insurance Company, which was read and referred to the committee on insurance companies.

Mr. Murphy presented a petition of citizens of East New York, authorizing lessee of Atlantic Avenue railroad to run dummy cars on Atlantic avenue and Flatbush avenue, which was read and referred to the committee on railroads.

Also a petition of citizens of town of New Lots, in favor of law authorizing the opening and extension of Atlantic avenue through said town, which was read and referred to the committee on internal affairs of towns and counties.

Also a remonstrance of owners of property in Eighth and Twenty-second wards of Brooklyn, against reduction of fire limits in said ward, which was read and referred to the committee on municipal affairs.

Mr. Pierce presented a petition of citizens of New York, for appropriation to the New York Seamen's Association, which was read and referred to the committee on finance.

Also a petition of Samuel Booth and others, for extension of Prospect park, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Hale presented a petition of citizens of Port Henry, Essex county, for village charter, which was read and referred to the committee on municipal affairs.

Mr. Folger presented a petition of Caroline Wall, for release of land in town of Phelps, Ontario county, which was read and referred to the committee of the whole.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against act authorizing the city of Buffalo to supply the Main and Hamburg St. canal with pure water, which was read and referred to the committee on municipal affairs.

Mr. Cauldwell presented a petition of citizens of the town of Yonkers, for repeal of act to incorporate "The People's Safe Deposit and Savings Institution of New York," which was read and referred to the committee on banks.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the appointment of a President, pro tempore, of the board of Metropolitan police."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act fixing the time for the holding of elections for the election of trustees, town officers and members of the board of education of the school district of the town of Morrisania, county of Westchester, and for regulating such elections."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Hale, from the committee on claims, to which was recommitted the Assembly bill entitled "An act to the relief of John Fitzpatrick, assignee of Bernardus Swartwout," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout,' passed May 1, 1865, and to authorize a rehearing of his claim by the Canal Board," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Rice Lewis, of West Turin, Lewis county, certain lands in this State, and to authorize him to hold the same and take out letters of administration and administer on the estate of Morris Lewis, deceased," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize Harry Lincoln Rose to change his name to Harry Lincoln Leet," reported adversely thereto, for the reason that the same may be done under general law, chapter 82 of the Laws of 1860; which report was agreed to.

Mr. Chapman moved to reconsider said vote, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for enforcing the liens of inn keepers, boarding house keepers and mechanics, given them under the existing laws therefor," reported that they have substituted therefor a bill entitled "An act to provide for enforcing the liens of inn keepers, boarding house keepers, mechanics, workmen or bailees, upon chattel property," and recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the taking of affidavits in other States, to be used in this State, and authorizing attorneys of courts of record in this State to take affidavits to be used in such courts," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the People's Fire Insurance Company of the city of New York," reported in favor of

the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street in the village of Yonkers to the city of New York, at or near Kingsbridge in the town of Yonkers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the town of Yonkers to lay out and make highways and to assess the expense thereof on the property benefited, and to issue improvement bonds therefor and to establish and change grades of roads," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the raising of money to build and maintain a bridge across Byram river at East Port Chester, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the petition of property holders of the towns of East Hampton and Southampton, Suffolk county, for authority to raise money by tax for railroad purposes, reported for the consideration of the Senate, by bill entitled "An act to constitute the town of East Hampton, lying within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district, under the name of 'The Sag Harbor and Southampton Railroad district,' and to authorize the said district to issue bonds for the purpose of aiding the Long Island Railroad Company in constructing a branch railroad through said town of North Hampton," said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the petition of the Schenectady and Utica Railway Company, for an extension of time to begin the construction of its road, reported by bill entitled "An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare on their road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to authorize a tax in the town of Phelps, for a town hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to incorporate the Loan and Security Bank of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act extending the time for the collection of taxes in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act authorizing the Erie Railway Company to file amended articles of association, and extending its powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to incorporate the village of Port Henry," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to regulate the fees of trustees, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to authorize parties to loan money on bonded security, and to pay any rate of interest agreed upon not exceeding ten per cent per annum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Asbury Life Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to facilitate travel on Atlantic avenue, in the city of Brooklyn, by the use of steam on a portion thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend chapter 140 of the Laws of 1850, relating to railroads in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate 'The New York Seamen's Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to extend the time for the completion of the organization and the commencement of the business of 'The Clinton Savings Bank in New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate The National Safe Deposit Company of the city of New York,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate The New York Pier and Warehouse Company,' passed April 28th, 1865; and to authorize the construction of a railroad in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to regulate the price of fares upon sleeping and drawing room cars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Arcade Railway Company, and to provide for the construction of an Arcade railway in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend section 4, title 1, chapter 13, part 1 of the Revised Statutes, exempting houses occupied by ministers as well as churches," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate The Mutual Insurance Company of Buffalo,' passed April 18, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relating to certain non-resident highway taxes in Clinton county, and the old Military road,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Creamer gave notice that he would, at an early day, ask leave to introduce a bill to authorize the New York and Highland Suspension Bridge Company to construct a bridge over the Harlem river.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor,' passed April 18, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Campbell	Folger	Mattoon	Nicks	Stanford
Cauldwell	Genet	Morgan	Norton	Thayer
Chapman	Graham	Morris	O'Donnell	Tweed
Crowley	Hale	Murphy		

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Crowley moved that a respectful message be sent to the Assembly requesting that body to return to the Senate the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 18, 1844."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet moved to take from the table the motion to discharge the committee of the whole from the further consideration of the bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York," and that said bill be ordered to a third reading.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to discharge the committee of the whole and order said bill to a third reading, and it was decided in the affirmative.

Mr. Parker moved to reconsider said vote, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative.

Mr. Genet offered the following resolution:

Resolved, That when the Senate adjourn to-day, it be to meet again on Monday evening next, at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Norton	Stanford	
Bradley	Crowley	Hale	O'Donnell	Thayer	
Campbell	Edwards	Mattoon	Parker	Tweed	
Cauldwell	Genet	Murphy	Pierce	Williams	20

FOR THE NEGATIVE.

Chapman	Humphrey	Morgan	Morris	Nicks	
Folger	Kennedy				7

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bill entitled as follows:

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Morris, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Tweed offered the following resolution:

Resolved, That 500 extra copies of the report of the Commissioners of Fisheries be printed for the use of the Commissioners, and bound in paper covers.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the construction of the Fulton Ferry, Christopher Street and Hudson River Railroad Company, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman offered the following resolution:

Resolved, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Regents, of which 500 shall be bound.

Also, the following:

Resolved, That 500 extra copies of the proceedings of the University Convocation of the State of New York for 1868, be printed for the use of the Regents of the University.

Ordered, That said resolutions be referred to the committee on public printing.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Port Morris Warehouse and Elevator Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Fulton Fish Mongers' Association of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the charter of the city of Ogdensburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford moved that the bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857,' passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted," be made the special order for Tuesday evening next, and that its consideration be continued every evening at 7½ o'clock, thereafter, until the subject is disposed of, and that special sessions be held for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Tweed, the Senate went into executive session for the confirmation of notaries only, and after some time spent therein the doors were opened and business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of Ovid Plumb and others."

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley."

"An act to provide for the rebuilding of the free bridge over the Hudson river, between the towns of Fort Edward, in the county of Washington, and Moreau, in the county of Saratoga, where the present bridge is now located, and making the maintenance thereof a charge on said towns."

After some time spent therein the President resumed the chair, and Mr. Nichols, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Nichols, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act in relation to the water front of the port of New York," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on commerce and navigation.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

"An act to exempt Gardiner's Island from assessment for highway labor."

"An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867."

"An act to amend an act entitled 'An act to enable the town of Wadlington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Kennedy, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger moved that the committee on the judiciary have power to continue their investigation for twenty days, of the subject referred to them known as the "Gun Contract Investigation."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

MONDAY, MARCH 15, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

The journal of Friday was read and approved.

The President presented a remonstrance of Preachers' Meeting of the Methodist Episcopal Church of New York and Brooklyn, against any repeal or modification of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Morris presented a petition of citizens of the town of Hanover, in the county of Chautauqua, relative to election of town officers, which was read and referred to the committee on the judiciary.

Mr. Parker presented a remonstrance against State aid to railroads, which was read and referred to the committee on finance.

Also a petition of tax payers of school district in Madrid and Wadlington, St. Lawrence county, which was read and referred to the committee on the judiciary.

Also a petition of citizens of Potsdam, in relation to a fifth justice, which was read and referred to the committee on the judiciary.

Mr. Hale presented a petition of citizens of the towns of Essex and Wellsborough, in the county of Essex, for improvement of Boquet river, which was read and referred to the committee on finance.

Mr. Nichols presented a petition of citizens of Buffalo, to repeal chapter 816 of the Laws of 1868, to incorporate the People's Safe Deposit

Company, State of New York, which was read and referred to the committee on banks.

Mr. Humphrey presented a petition of citizens of the town of Belfast, Allegany county, for extension of taxes to first day of May next, which was read and referred to the committee on the judiciary.

Mr. Williams presented a petition of citizens of Clyde, for law reimposing tolls on railroads, which was read and referred to the committee on railroads.

Also a petition of citizens of Wayne county, for law regulating freight on railroads, which was read and referred to the committee on railroads.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against bill to furnish water to the Main and Hamburg street canals, which was read and referred to the committee on municipal affairs.

Mr. O'Donnell presented a petition of citizens of Sandy Creek, for passage of law which shall forbid any board of exoise from granting licenses where a majority of taxable property shall remonstrate against the same, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Hale, from the committee on claims, to which was referred the petition of George B. Efner for relief, reported in writing, and adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

(See Doc. No. 54.)

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Charles H. Collamer," reported in writing and adversely thereto, which report was agreed to and said bill rejected.

(See Doc. No. 55.)

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6th, 1852, passed March 7th, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to incorporate the United States Railroad Conductors' Life Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend chapter 291 of the Laws of 1867, passed April 9, 1867, in relation to schools in the city of Binghamton," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April

18, 1843," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was referred sundry petitions of citizens of the State, for modification of laws regarding State prison labor, reported by bill entitled "An act in regard to State prison labor," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The Assembly sent for concurrence the bill entitled as follows:

"An act authorizing the extension of the time for the collection of the drainage tax in the town of Flushing, Queens county, levied in pursuance of chapter 631, Laws of 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *March 13, 1869.*

Resolved, (if the Senate concur,) That a joint committee, to consist of five members of the Assembly and three members of the Senate, be appointed to inquire into the management and affairs of the State Lunatic Asylum at Utica, to report within twenty days.

Ordered, That said resolution be laid on the table.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16, 1844," pursuant to a resolution of the Senate.

Mr. Williams moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to said bill, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to prohibit the sale of adulterated articles of food, drink or medicine," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Commissioners to lease the surplus waters of the Erie canal at the Macedon upper locks in the village of Macedon, Wayne county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the inspection of steam-boilers in the State of New York, chapter 969,' passed June 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to provide for the repayment of moneys illegally collected by the health commissioners of the city of New York and others, under the authority of law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for the Buffalo and Washington railroad,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to continue in office the officers of the corporation of the village of Silver Creek, until their successors shall hereafter be elected and qualified, and to authorize the clerk to call elections in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act for the improvement of the navigation of the Boquet river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend 'An act to provide for the incorporation of religious societies,' passed April 5th, 1813," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to promote mechanical towage upon the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to provide for the construction of the Central Elevated Patented Railway in New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to provide for the purchase and use of patented rights, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Thayer moved that the committee on commerce and navigation be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act in relation to the inspection of steam-boilers in the State of New York, chapter 969,' passed June 22, 1867," and that the same be referred to the committee on manufactures.

Mr. Nichols moved to lay the question on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Thayer, and it was decided in the negative.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act declaring the westerly branch of St. Regis

river a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act for the improvement of the east and west branches of St. Regis river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to authorize the city of Buffalo to cause the streets therein to be sprinkled," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to the Albany railway,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act for the preservation of fish in the Onondaga lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

By unanimous consent, Mr. Nichols for Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to charter and other officers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Graham gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Middletown and Wurtsboro Plank-road Company.

Mr. Kennedy moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Beach moved that the Senate resolve itself into a committee of the whole upon the bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach

Creamer
Edwards

Hubbard
Humphrey

Nichols
Parker

Stanford
Thayer

Campbell
Chapman

Hale

Morris

Pierce

Williams

16

FOR THE NEGATIVE.

Nicks

O'Donnell

2

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to incorporate the Middletown and Wurtsboro Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to facilitate the transportation of freight, and to regulate the prices thereof on certain railroads of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Thayer moved that the committee on manufactures be discharged from the further consideration of the petition and papers relative to inspection of steam-boilers, and that the same be referred to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thayer offered the following resolution:

Resolved, That all papers in relation to the claim of John E. Westlake, be taken from the files of the Senate and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Graham, the Senate adjourned.

TUESDAY, MARCH 16, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mann.

The journal of yesterday was read and approved.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against bill for furnishing water to Main and Hamburg street canal, which was read and referred to the committee on municipal affairs.

Mr. Williams presented a memorial of the board of supervisors of Cayuga county, in regard to chapter 869 of the Laws of 1867, for inspection of steam-boilers, which was read and referred to the committee on commerce and navigation.

Mr. Bradley presented a petition of Demilt dispensary, asking for the usual annual donation, which was read and referred to the committee on finance.

Mr. Campbell presented a petition of volunteers of the town of Whites-town who served in the late war, asking relief from military tax and service, except in case of insurrection and rebellion, which was read and referred to the committee on militia and public defense.

Mr. Pierce presented a petition of Marshall O. Roberts and others, for protection against alleged wrongs of pilot commissioners, which was read and referred to the committee on commerce and navigation.

Mr. Nicks presented a petition of voters from the town of Bath, Steuben county, for the passage of a law which shall forbid any board of excise in any town from granting license whenever a majority of the tax payers representing a majority of taxable property therein shall remonstrate against same, which was read and referred to the committee on internal affairs of towns and counties.

Mr. O'Donnell presented a petition upon same subject, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Humphrey presented a petition of inhabitants of Warsaw, for construction of a railroad in said village, and to the depots of the Erie Railway Company in said town, which was read and referred to the committee on railroads.

Mr. Williams presented a memorial of supervisors of Cayuga county, against provision of military laws of State, which was read and referred to the committee on militia and public defense.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to enable the town of Wad-dington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866."

"An act to exempt Gardiner's Island from assessment for highway labor."

"An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867."

"An act to provide for the rebuilding of the free bridge over the Hud-son river, between the towns of Fort Edward, in the county of Wash-ington, and Moreau, in the county of Saratoga, where the present bridge is now located, and making the maintenance thereof a charge on said towns."

"An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York."

The Assembly sent for concurrence the bills entitled as follows:

"An act to reorganize the board of water and sewerage commissioners of the city of Brooklyn, and to provide for the repaving and cleaning the streets of said city, by said board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the supervisors of the town of Addison, county of Steuben, to borrow money to rebuild bridges in said town, and to pledge the credit of the town for the repayment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of Williamsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act confirming certain proceedings of the board of supervisors of Montgomery county, and in relation to the support of the poor in said county,' passed April 19, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 683 of the Laws of 1868, entitled 'An act to authorize the Society of Agriculture and Horticulture of Westchester county to mortgage, lease or sell real estate,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to define the boundaries of union free school district No. 7, in the town of Cortlandt, county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the construction of a road and bridge across Huntington harbor, in the town of Huntington and the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to designate the place of holding the meetings of the board of supervisors of Oswego county, and to regulate the compensation of members thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to provide for draining certain swamp lands, situate in the towns of Waterloo, Junius, Seneca Falls and Tyre, in the county of Seneca,' and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act relative to the appointment of interpreters in civil justices and other courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Genet asked and obtained leave to intro-

duce a bill entitled "An act in relation to the Homœopathic Medical College of the State of New York, in New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Harlem Yacht Club," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgages,' passed April 17, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to incorporate the Oswego Harbor Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to consolidate school district No. 1, in the town of Salina and county of Onondaga, a free school,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the removal of the present bridge over the Erie canal at Lock street in the city of Syracuse, and for the building of a bridge at the same place," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Humphrey, from the committee on banks, to which was referred the bill entitled "An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act for the supplying a deficiency in the appropriation for the maintenance of the State prisons and for paying an award, pursuant to chapter 633 of the Laws of 1868," reported in favor of the passage of the same.

Mr. O'Donnell moved to refer said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the supervisor of the town of Addison, in the county of Steuben, to borrow money to rebuild bridges in said town and to pledge the credit of the town for the repayment of the same," reported in favor of the passage of the same.

On motion of Mr. Nicks and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Norton	Williams
Chapman	Hale	Morgan	O'Donnell	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the annual report of the Regents of the University, reported in favor of the adoption of the following resolution :

Resolved, That 1,000 copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Regents, of which 500 shall be bound ; and 500 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the proceedings of the University Convocation of the State of New York, reported in favor of the adoption of the following resolution :

Resolved, That 300 copies of the proceedings of the University Convocation of the State of New York for 1868, be printed for the use of the Regents of the University, and 300 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Commissioners of Fisheries, reported in favor of the adoption of the following resolution :

Resolved, That 500 copies of the report of the Commissioners of Fisheries be printed for the use of the Commissioners, and 500 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution :

Resolved, That the Clerk be directed to furnish to each of the four messengers of the Senate, five copies of the Red Book.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Graham moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104 of Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," and that the same do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Pierce
Bradley	Genet	Humphrey	O'Donnell	Thayer
Campbell	Graham	Mattoon	Parker	Tweed
Creamer	Hale	Morgan		

18

On motion of Mr. Graham and by unanimous consent the rules were suspended, and said bill ordered delivered to the Assembly immediately, with a message requesting their concurrence therein.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866."

The bill entitled "An act to provide for the rebuilding of the free bridge over the Hudson river, between the towns of Fort Edward, in the county of Washington, and Moreau, in the county of Saratoga, where the present bridge is now located, and making the maintenance thereof a charge on said towns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Parker
Beach	Creamer	Hubbard	Morgan	Pierce
Bradley	Edwards	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to exempt Gardiner's Island from assessment for highway labor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Mattoon	Norton
Beach	Genet	Humphrey	Morgan	Pierce

Bradley Creamer	Graham	Kennedy	Nicks	Tweed	16
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FOR THE NEGATIVE.

Campbell Chapman	Hale Nichols	O'Donnell	Parker	Thayer	7
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Mr. Edwards moved to reconsider, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	Pierce	
Beach	Edwards	Kennedy	Nichols	Stanford	
Bradley	Hale	Mattoon	Nicks	Tweed	
Campbell	Hubbard	Morgan	O'Donnell		19

FOR THE NEGATIVE.

Genet	Norton	Parker	Thayer	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to enable the town of Waddington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nicks	Pierce	
Bradley	Edwards	Humphrey	Norton	Stanford	
Campbell	Genet	Mattoon	O'Donnell	Thayer	
Chapman	Hale	Morris	Parker	Tweed	20

FOR THE NEGATIVE.

Morgan	Nichols	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York," having been announced for a third reading.

Mr. Creamer moved to lay the same on the table, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Edwards moved that the committee on the judiciary be discharged from the further consideration of the Assembly bill entitled "An act

authorizing the extension of the time for the collection of the drainage tax in the town of Flushing, Queens county, levied in pursuance of chapter 631 of the Laws of 1866," and that the same be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	O'Donnell	
Beach	Edwards	Kennedy	Nichols	Parker	
Bradley	Genet	Mattoon	Nicks	Pierce	
Campbell	Hale	Morgan	Norton	Tweed	20

On motion of Mr. Edwards and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly forthwith, with a message informing that the Senate have concurred in the passage of the same without amendment.

Mr. Hubbard called for the consideration of the concurrent resolutions from the Assembly, in the words following:

Whereas, during the year 1864, while the persons and armies employed in rebellion were exerting every power and influence to accomplish the dismemberment of this country and the overthrow of our government and the requirement became urgent and imperative for additional forces to resist the attempted usurpation of the so called Confederate States, the Federal Government pledged itself by specific legislative enactment, and guarantied to each volunteer mustered into the service of the United States a bounty of one hundred dollars for the term of one year, unless sooner discharged; and whereas the fourteenth amendment to the Federal Constitution ordains expressly that the validity of the debts incurred for payment of pensions and bounties for services rendered in suppression of the rebellion shall not be questioned; and whereas the Federal authorities have continued to withhold one-third of the amounts claimed by such volunteers, on the pretext that such volunteers were discharged before the expiration of the year, such volunteers having entered the service in good faith; therefore,

Resolved, (if the Senate concur,) That in the judgment of the Legislature of the State of New York, good faith on the part of the Federal Government requires that provision should be made and legislation had from Congress for the full payment of proffered bounties to soldiers enlisting as aforesaid, who served for at least three-fourths of the time specified.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress are hereby requested to lay this subject before that body and use their best endeavors to procure the requisite legislation.

Resolved, (if the Senate concur,) That copies of the foregoing preamble and resolutions be forwarded to each of our Senators and Representatives from this State.

Mr. O'Donnell moved that the same be referred to the committee on militia and public defense.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Campbell called for the consideration of the concurrent resolution from the Assembly, in the words following:

Resolved, (if the Senate concur,) That a joint committee to consist of five members of the Assembly and three members of the Senate, be appointed to inquire into the management and affairs of the State Lunatic Asylum at Utica, to report within twenty days.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to the inspection of steam-boilers in the State of New York, except in the Metropolitan police district,' passed June 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in the village of Warsaw, to the passenger and freight depots of the Erie Railway Company in the town of Warsaw," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the several acts relating to taxes on dogs, so far as relates to the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act extending the time for collecting taxes in the city of Oswego," reported in favor of the passage of the same, with amendments.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	Pierce
Beach	Edwards	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Tweed
Campbell	Hale	Morgan	Parker	Williams

20

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly immediately, with a message requesting their concurrence therein.

The Senate then resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary."

After some time spent therein the President resumed the chair, and Mr. O'Donnell, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the bill entitled "An act to prohibit the sale of adulterated articles of food, drink or medicines," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Beach, the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act relative to schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the Cohoes Gas Light Company to issue bonds to pay for the enlargement and extension of their works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the First National Eclectic Assurance Society of the United States, and to change its corporate name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend an act entitled 'An act to amend an act passed April 12, 1859, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 13, 1860,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to repeal chapter 648 of the Laws of 1868, entitled 'An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village,' passed May 6, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release and convey to Christina H. Surbeck the interest of the people of the State of New York in certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the judiciary.

"An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act for the relief of Clinton Stephens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the city of Troy to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act for the appointment of an interpreter in the county of Kings,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to amend the charter of the village of Johnstown and the several acts amendatory thereof, and to extend the boundary of said village,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the Utica, Chenango and Susquehanna Valley railroad to extend their road to Oneonta, in the county of Otsego, and to extend the time for bonding the towns along the line of said road to aid in building the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company, and to authorize the election of fifteen directors to manage its affairs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to constitute the town of Southampton and that part of the town of East Hampton lying within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district under the name of 'The Sag Harbor and Southampton Railroad district,' and to authorize the said district to issue bonds for the purpose of aiding the Long Island Railroad Company in constructing a branch railroad through said town of Southampton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of surrogates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize Danford Mott to establish and maintain a ferry across Lake Champlain at Rouse's Point, in the town of Champlain, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Creamer, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made the special order to-morrow morning, after third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Hale moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Hale	Morris	O'Donnell		9

FOR THE NEGATIVE.

Chapman	Humphrey	Mattoon	Nicks	Pierce	
Edwards	Kennedy	Morgan	Parker		9

Mr. Kennedy moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Stanford moved that said bill be made the special order to-morrow morning at 11:15 o'clock, A. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Nichols	Parker	
Beach	Hubbard	Morris	O'Donnell	Stanford	
Creamer	Humphrey				12

FOR THE NEGATIVE.

Chapman	Kennedy	Mattoon	Nicks	Pierce	
Edwards					6

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the town of Bainbridge to purchase the bridge over the Susquehanna river in said town, and the property and franchises appertaining thereto of the existing Bainbridge Bridge Company, and to maintain the same as a free bridge, and to borrow money therefor."

"An act to amend an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 25, 1864."

"An act to legalize and confirm certain proceedings taken to incorporate 'The Holy Angels' Infirmary Academy and Industrial School for benevolent, charitable and scientific purposes,' and to make valid gifts and grants to it, and property acquired by it, and acts and proceedings done and had by it."

"An act relating to the village of Salem, increasing the commutation for highway assessment, reducing collector's fees and raising money by tax for new court house."

"An act regulating auction sales in the village of Wellsville."

"An act to amend an act entitled 'An act to incorporate the German Liederkrantz of the city of New York,' passed March 24, 1860."

"An act extending the time for the collection of taxes in the city of Oswego."

"An act to incorporate 'The Academy of Music of the city of Albany.'"

"An act to authorize the town of Manheim to raise money by tax to pay for the bridge at Ransom's creek."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Beach, the Senate adjourned.

WEDNESDAY, MARCH 17, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

The Journal of yesterday was read and approved.

The President appointed as the committee on the part of the Senate to investigate affairs of Lunatic Asylum at Utica, Messrs. Nichols, Tweed and Parker.

Mr. Genet presented two remonstrances of the people of Syracuse, against any changes in the act chartering the People's Safe Deposit and Savings Institution, which were read and referred to the committee on banks.

Mr. Parker presented a remonstrance against State aid to Plattsburgh and Whitehall railroad, which was read and referred to the committee of the whole.

Mr. Williams presented a memorial of supervisors of Cayuga county, in regard to dog tax law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Crowley presented a petition of citizens of Albion, for an amendment to charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Campbell presented three petitions of citizens of Whitesboro, for passage of law which shall forbid board of excise in any town from grant-

ing license where a majority of tax payers shall remonstrate against the same, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Cauldwell presented a petition of German American school of Morrisania, for an appropriation, which was read and referred to the committee on finance.

Mr. Crowley presented a petition of Patrick Kelly, for release of escheated lands, which was read and referred to the committee on the judiciary.

Mr. Crowley, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend chapter 531 of the Laws of 1866, entitled 'An act to amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212 of the Independent Order of Odd Fellows of Northern New York, in the city of Albion, in the county of Orleans,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Binghamton railroad, and to become stockholders therein," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print 300 copies of the report of the Canal Appraisers, with the accompanying schedules, reported adversely thereto, and that the resolution ought not to pass, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the following resolution of the Senate of January 6, 1869, to wit:

Whereas, It has been charged that large additions have been made from time to time to the capital stock of the "Hudson River Railroad Company," the "New York Central Railroad Company," and the "Erie Railway Company," and as grave doubts exist as to the right of said companies to increase their capital stock;

Be it Resolved, That the railroad committee be directed to investigate all the facts and circumstances connected with such issues of stock, with power to send for persons and papers, and with directions to report what, if any, legislation is necessary to protect the rights of bona fide stockholders in railroad corporations, and to prevent the secret issue of stock therein, and that they be instructed to report within the next thirty days.

Submitted a report in writing.

(See Doc. No. 58.)

By unanimous consent, Messrs. Campbell and Morgan, from the committee on railroads, to which was referred the resolution of the Senate of January 6, 1869, have come to the conclusion to report by bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Messrs. Genet and Graham, from the same committee, reported by bill entitled "An act to amend chapter 140 of the Laws of 1850, being an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2,

1850," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Mr. Parker, from the same committee, reported by bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, and for the better protection of stockholders of railroad companies," which was read the first time, and by unanimous consent was also read the second time.

Mr. Genet moved that said bills be referred to the committee of the whole, and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer moved that said bills be made the special order for Tuesday morning, immediately after reading the journal.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Morgan	Norton
Campbell	Edwards	Kennedy	Morris	Stanford
Creamer	Graham	Mattoon	Nicks	
				14

FOR THE NEGATIVE.

Banks	Genet	Nichols	Pierce	Tweed
Cauldwell	Hale	O'Donnell	Thayer	Williams
Chapman	Hubbard	Parker		
				13

Pending the question, the hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Morgan offered the following resolution :

Resolved, That the chairman of the committee on railroads adjust, with the counsel employed by him to conduct the special investigation concerning over-issues of stock, the amount of their fees; and that the finance committee be requested to insert the same in the supply bill.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows :

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also, an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857,' passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein the President resumed the chair, and Mr. Creamer, from said committee, reported in favor of the passage of said bill, with amendments.

Mr. Morgan moved to recommit said bill to the committee on canals, with instructions to substitute therefor the following :

"AN Act to provide for the more efficient repairs of the canals, by conferring additional powers on the Canal Commissioners, and the agents employed for maintaining unobstructed navigation."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. In addition to the powers already conferred upon the Canal Commissioners of this State, each Commissioner in charge of a division of the canals is hereby authorized and required, within fifteen days after the passage of this act, and annually on or before the 15th day of January thereafter, to appoint three suitable persons as Canal Superintendents, to assist him in the general care and superintendence of the division of the canals under his charge, with power to remove them at pleasure, and to fill all vacancies occasioned by such removal or otherwise; but nothing in this section contained shall authorize the employment of more than three Superintendents on each division of the canals at any one time. The Commissioners shall assign to the care of each Superintendent appointed by him a specified portion of the canals within his division, and shall notify the Auditor of the Canal Department of all such appointments, and of the portion of the canals assigned to each Superintendent. It shall be the duty of the Board of Canal Commissioners, and they are hereby required, before making any appointments under this act, and from year to year when the annual appointments are made, and to fix and determine the salary (not to exceed two thousand dollars per annum) to be paid to each Superintendent, which shall be uniform and shall not be increased during such year; and shall file with the Auditor aforesaid a certified copy of the minutes of such proceedings. The compensation thus provided shall be paid by each Canal Commissioner to the Superintendents appointed by him, from any funds in his hands or subject to his draft, and appropriated for the maintenance and repairs of the canals.

§ 2. No Superintendent appointed under this act shall be engaged in any other business occupation, or interested, directly or indirectly, in any boats navigating the canals, but shall give his personal and constant attention to the discharge of the duties of his office. Nor shall such Superintendent either directly or indirectly be interested in any contract for labor, materials, repairs, or other thing connected with the canals; and shall not either directly or indirectly derive any benefit from the annual expenditures on the canals beyond his established compensation, and should any Superintendent, subsequent to his appointment, engage in any business occupation or become interested or derive any benefit or profit as aforesaid, he shall forfeit his appointment. Each Superintendent before he shall enter upon the discharge of his official duties shall take and subscribe the constitutional oath, and file the same in the clerk's office in the county where he resides, and shall transmit to the Auditor of the Canal Department the clerk's certificate that the oath of office has been thus filed.

§ 3. The duty of said Superintendents shall, under the directions of the Canal Commissioners, be such as relate strictly to the repairs of the canals and the maintenance of the navigation thereof. It shall be their duty to frequently pass over that portion of the canals committed to their charge and carefully examine the condition thereof, and to inspect the manner in which the work of repairs is being done by the several contractors thereon, and the quality of the materials being used in making such repairs; to see that the canals are well bottomed out to their original base line and width of prism; that the locks, waste-weirs and feed-

ers are well and properly attended; that prompt and sufficient assistance is given to boats obstructed by bars, low water or jams; that the levels are kept filled up; that the towing-paths are kept in good condition; that all docking and coping thereof is properly repaired or reconstructed when necessary; that the ice in the canals is promptly broken to facilitate the passage of boats toward the close of navigation; to examine and ascertain whether the several repair contractors are executing and performing all and singular, the conditions, provisions and obligations of their several contracts, and generally to do and perform all such services in relation thereto as may be required of them by the Commissioners in charge of their respective superintendencies.

§ 4. It shall be the duty of the clerk of the Contracting Board or other officer, in whose custody the repair contracts may be, to furnish each Commissioner in charge with copies of all repair contracts in force within his division for the use of the several Superintendents appointed under this act.

§ 5. It shall also be the duty of a Superintendent whenever in his judgment a contractor for repairs on any of the canals assigned to his supervision is deficient and delinquent, or does not in all things fully and completely execute his contract, to immediately notify said contractor and the Commissioner in charge, in writing, specifying in what respect said contract is not being performed. The said Superintendent shall also report all deficiencies and delinquencies of repair contractors to the Canal Board whenever by resolution said Board shall require it, or to the Auditor of the Canal Department when he shall call upon them for such information. It shall be the duty of said Commissioner, upon receiving the notice aforesaid, to make immediate examination of the matter contained in said notice, and he shall make such provision as may be necessary to prosecute the work or such portions of it as in the opinion of said Commissioner may be necessary to secure navigation and keep said section in proper repair, and all expenses thereof shall be charged to the account of, and be deducted from the payments agreed to be paid to said delinquent contractor; and no draft shall be drawn by any Commissioner in favor of a contractor for repairs, unless the conditions of the contract are being strictly and promptly executed.

§ 6. In case of a break, or the failure of the banks of the canals, or any mechanical structure thereof, or an obstruction to navigation from any other cause, it shall be the duty of the Superintendent on that portion of the canal to proceed without delay to the place where such break or casualty may occur, and immediately notify the Canal Commissioner in charge of the character and extent of such break or obstruction. Should the repair contractor from any cause neglect, refuse or omit to enter promptly upon the work of repairing such break, or removing such obstruction, said Superintendent shall, under the direction of said Commissioner, proceed forthwith to make such repairs, or remove such obstructions as will insure the resumption of navigation at the earliest moment possible, and make and render to said Commissioner a detailed account of the cost thereof, which shall be deducted from any money due or to become due on the contract for the repairs of that section. But should the repair contractor promptly undertake the reparation and reconstruction of such break or structure, in accordance with the conditions of his contract, said Superintendent shall keep a just and true account of all the labor necessarily employed, and the material used in such repair or reconstruction, and the prices actually paid for the same,

and upon the completion of the work, render a statement or abstract thereof to said Commissioner, duly authenticated. Until such statement is made, together with such other estimates and vouchers as are now required by law, no money shall be paid to or draft drawn in favor of such contractor on account of such work or for the payment of any material used therein. Any fraud or collusion between the Superintendent and contractor or between the Superintendent and Commissioner, or between any State official and contractor, or false swearing by said Superintendent, shall be deemed a felony, and any person convicted thereof shall be subject to imprisonment in the State prison for a term not less than one year or more than three, or by a fine of not less than five thousand dollars, or by both such fine and imprisonment in the discretion of the court trying the offenders.

§ 7. Whenever charges shall be preferred against any Superintendent, appointed in pursuance of this act, for misconduct or neglect of duty, or for a violation of the previous section of this act, and said charges shall be specified in writing, duly authenticated, and the same shall be filed with the Auditor of the Canal Department, it shall be the duty of said Auditor, on receiving the same, to serve a copy thereof on the accused, and shall immediately give notice to the members of the Canal Board of a meeting of such Board to hear the proofs and allegations of the parties; and if the charges shall be sustained by a vote of said Board, the Superintendent shall be immediately dismissed, and shall not again be eligible to appointment except by the consent of a majority of all the members of said Board; and, in no case, when the dismissal is for a violation of the sixth section of this act, shall a Superintendent be reappointed; but it shall be the duty of the Attorney-General forthwith to institute such proceedings as, in his judgment, will lead to the arrest, conviction and punishment of the offender.

§ 8. It shall be the duty of the Canal Commissioners, and they are hereby required to carry out the provisions of section 9 of chapter 495 of the Laws of 1859, and in the execution thereof, when it shall be necessary, to pay to the owners of the boats employed by them for that purpose from any funds in their hands or subject to their draft and appropriated for the maintenance and repairs of the canals such compensation as to them shall seem reasonable and just. Should any such boats, while thus employed, be detained in consequence of low water or bars, or other impediments to navigation arising from the neglect or omission of any repair contractor to perform the conditions of his contract, the Commissioner in charge of the division of the canals, where said detention may occur, shall determine and pay to the owner of the boat a reasonable and just compensation for the time delayed, and retain the amount thereof from the first monthly allowance due and to be paid to the defaulting contractor.

§ 9. Any person who shall willfully obstruct the flow of water or the passage of boats through the canals, by the improper mooring of any boat or float for the time being in his charge, or which he may be navigating, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than two hundred dollars, or by imprisonment for not less than six months, or by both such fine and imprisonment, in the discretion of the court.

§ 10. It shall be the duty of the said Commissioners and Superintendents and they are hereby authorized, in all cases of crowds or jams, to determine which boats or floats are the cause thereof, and to direct such move-

ment of same or cause them to be moved, as they shall deem most advisable and proper, and all persons having charge of such boats or floats who shall refuse to obey, or any person who shall resist a Commissioner or Superintendent in the performance of such duty shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in the previous section of this act. For the purpose of more effectually enforcing the provisions of this section, the said Commissioners and Superintendents shall possess all the statutory powers of constables, and may arrest anywhere within the jurisdiction of their office all offenders under this and the previous sections, and convey and deliver them to the proper officer or magistrate to be proceeded against according to law; and whenever it shall be necessary, said Commissioners and Superintendents are hereby empowered and authorized to command the assistance of any person or persons upon whom they may call in making such arrests.

§ 11. Every contract for repairs of the canals shall contain all the conditions expressed in the form of contract appended to the financial report of the Auditor, for the fiscal year ending with the 30th day of September last; but nothing herein contained shall prohibit its amendment so as to provide for greater efficiency, without lessening any of the liabilities or obligations of the contractor.

§ 12. The primary object of this act being to place in the hands of the Canal Commissioners exclusive control over the repair contractors, and the power and responsibility of enforcing the conditions and provisions of the contracts, therefore so much of all laws or parts of laws as conflict with the provisions of this act, or which authorizes the appointment or employment of Superintendents of repairs upon the canals of this State, except as provided in this act, are hereby repealed.

§ 13. This act shall take effect immediately.

The President put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Mattoon	O'Donnell	Parker	
Genet	Kennedy	Morgan			8

FOR THE NEGATIVE.

Banks	Chapman	Graham	Nichols	Stanford	
Beach	Creamer	Hale	Nicks	Thayer	
Bradley	Crowley	Hubbard	Norton	Tweed	
Cauldwell	Edwards	Morris	Pierce	Williams	20

Mr. Morgan moved to recommit said bill to the committee on canals, with instructions to strike out the sixth section, and report the same back forthwith to the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Genet	Graham	Kennedy	Mattoon	Morgan	5
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FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nicks	Stanford	
Beach	Crowley	Humphrey	Norton	Thayer	
Cauldwell	Edwards	Morris	Parker	Tweed	
Chapman	Hale	Nichols	Pierce	Williams	20

Mr. O'Donnell moved to recommit said bill to the committee on canals, with instructions to strike out in line 1, section 8, the words "Commissioners of the Canal Fund" and insert the words "Auditor of the Canal Department."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Mattoon	Nicks	Parker
Chapman	Kennedy	Morgan	O'Donnell	Williams
Genet				

11

FOR THE NEGATIVE.

Banks	Crowley	Hale	Nichols	Stanford
Bradley	Edwards	Hubbard	Norton	Thayer
Cauldwell	Graham	Morris	Pierce	Tweed
Creamer				

16

Ordered, That said bill be engrossed for a third reading.

Mr. Genet, from the committee on public health and medical societies and colleges, to, which was referred the bill entitled "An act in relation to the Homeopathic Medical College of the State of New York, in New York city," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to authorize the Clipper, Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage their property," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies," with a message that they had concurred in the passage thereof with the following amendments:

After the word "real estate" in section 2, line 23, engrossed bill, insert the following:

"And in case of proof the certificate shall state that the subscriber stated in the presence of the witness that he knew the contents of the instrument so subscribed by him."

Also insert the words "and third" section 9, line 2, after the word "second."

Also the words "and personal" after the word "real" section 7, line 2.

Mr. Kennedy moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Norton	Stanford
Cauldwell	Hale	Mattoon	O'Donnell	Thayer
Creamer	Hubbard	Morris	Parker	Tweed
Edwards	Humphrey	Nicks	Pierce	Williams
Genet				

21

FOR THE NEGATIVE.

Morgan

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Southern Tier Savings Bank, in the city of Elmira, Chemung county," with a message that they had passed the same with the following amendments:

Section 4, line 5, engrossed bill, strike out "six" and insert the words "a majority." Same section, line 8, strike out the word "six" and insert "a majority of the." Line 12, same section, strike out the word "or" and insert "a two-third vote of all the trustees shall be requisite."

Section 5, line 5, strike out "six" and insert "a majority of."

Section 6, line 6, after the word "city" insert "and an amount not exceeding ten per cent of the deposits of the bank upon the bonds of any town." Line 12, same section, after the word "thereby" insert "exclusive of building."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Bradley	Graham	Kennedy	Nicks	Stanford
Campbell	Hale	Mattoon	Norton	Thayer
Cauldwell	Hubbard	Morris	O'Donnell	Williams
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the board of education of union free school district No. 1 of the town of Moravia, in the county of Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein and of said board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railway Companies,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to prohibit the use of steam on the Second avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend chapter 166 of Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank, in the city of New York,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Pierce asked and obtained leave to intro-

bill entitled "An act to amend an act entitled 'An act to widen
Holt avenue, in the city of Brooklyn," which was read the first
time, and by unanimous consent was also read the second time, and
referred to the committee on municipal affairs.

By unanimous consent, Mr. Cauldwell asked and obtained leave to
introduce a bill entitled "An act to establish fire limits, and for the more
prevention of fires in the town of Morrisania, and to provide for
the appointment of a superintendent of buildings," which was read the
first time, and by unanimous consent was also read the second time, and
referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Crowley asked and obtained leave to intro-
duce a bill entitled "An act to amend an act entitled 'An act to condense
and the several acts relating to the village of Albion,' passed April
18, 1857," which was read the first time, and by unanimous consent was
also read the second time, and referred to the committee on municipal

affairs. By unanimous consent, Mr. Crowley asked and obtained leave to intro-
duce a bill entitled "An act to release the interest of the State of New
York and to certain lots of land in the town of Carlton, Orleans county,
owned by John Kelly," which was read the first time, and by unanimous con-
sent was also read the second time, and referred to the committee on
municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to intro-
duce a bill entitled "An act to amend an act entitled 'An act to provide
for the supply of water in the city of Buffalo,' passed May 7, 1868," which
was read the first time, and by unanimous consent was also read the
second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hubbard asked and obtained leave to intro-
duce a bill entitled "An act to amend an act entitled 'An act to consoli-
date and amend the several acts relating to the village of Sherburne,'
passed March 18, 1859," which was read the first time, and by unanimous
consent was also read the second time, and referred to the committee on
municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to intro-
duce a bill entitled "An act to incorporate the Stuyvesant Savings Insti-
tute," which was read the first time, and by unanimous consent was also
read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Morris asked and obtained leave to intro-
duce a bill entitled "An act to amend an act entitled 'An act to enlarge
the corporate powers of the village of Silver Creek, in the county of
Albany,' passed April 17, 1857," which was read the first time, and
by unanimous consent was also read the second time, and referred to the
committee on municipal affairs.

By unanimous consent Mr. Morgan asked and obtained leave to intro-
duce a bill entitled "An act to prohibit the boards of commissioners of
the counties of Allegany and Cattaraugus, from granting licenses
for the sale of strong and spirituous liquors and wines upon the Allegany and
Cattaraugus Indian Reservations in this State," which was read the first
time, and by unanimous consent was also read the second time, and refer-
red to the committee on Indian affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to intro-
duce a bill entitled "An act providing for the appraisal and payment of
the claims of the Seneca Nation of Indians, caused by raising the banks

of the feeder on the Oil Spring Reservation, supplying water to the Genesee Valley canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Creamer moved that the committee on internal affairs of towns and counties be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 16, 1866," and that the same be referred to the committee of the whole.

Mr. Williams moved to lay the question on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. Creamer moved to lay his motion on the table until to-morrow at 1 o'clock.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman offered the following resolution :

Resolved, That the Senate hold a session this evening at 7½ o'clock, for consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. O'Donnell offered the following resolution :

Resolved, That the Secretary of State be requested to furnish to the Senate a statement showing the amount of fees paid into the office of Secretary of State during each of the last five years ; and also the amount of such fees paid into the State treasury in each of such years.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Graham, the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bill entitled as follows :

"An act to provide for the construction of a vertical wood docking along the berme bank of the Erie canal, in the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act relating to the procurement of abortion and other like offenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act relative to the New York Central Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the straightening of Central avenue, in Westchester county, near Central Bridge," which was read

and by unanimous consent was also read the second time, to the committee on roads and bridges.

then resolved itself into a committee of the whole, and the consideration of general orders, being the bills entitled

“An act for supplying a deficiency in the appropriation for the use of the State prisons, and for paying an award pursuant to an act of the Laws of 1868.”

to incorporate the Beaver River Boom Company, and to authorize the construction of piers and booms across Beaver river, in Lewis county.”

to amend an act entitled ‘An act to regulate, grade, widen, and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the Plains road,’ and also a portion of First street, in the village of Tonawanda,’ passed May 14, 1868, and extend and change the route of said highway, and confer additional powers on the commissioners under

the time spent therein the President resumed the chair, and the report of the committee, reported in favor of the passage of the bill, without amendment, which report was agreed to and ordered to a third reading.

The report of the committee, reported in favor of the passage of the two last named bills with amendments, which report was ordered to a third reading.

From His Excellency the Governor was received and read, the following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, *March 17, 1869.* }

SIR: I return without my signature, a bill entitled “An act to amend the laws relating to the appointment of a President pro tempore of the board of police,” which was passed in the Senate March 9, 1869, and in the Assembly March 12, 1869.

The bill relates to the Metropolitan police board, certain specified duties being performed only by the President of the board. He has, I am unable for several months to discharge his duties, and is absent from the State. To meet the difficulty caused by his sickness it is necessary that a new President, or a President pro tempore be appointed, and to that end this bill has been passed.

The bill provides for the appointment of three commissioners besides the absent President, and I have received, by a reference to the phraseology of the bill, that it was passed by the unanimous vote of the three, not only for the adoption of a resolution appointing a President pro tempore, but of any resolution

to that effect. When all the commissioners are present a majority may pass any resolution. When three only are capable of attending to the power to defeat a resolution for the appointment of a President pro tempore, or for any other purpose, should not be given to

the board. If this bill becomes a law either three commissioners can prevent any order being made affecting the duties of the superintendent, the transfer or detailment of officers, the appointment of officers when vacancies occur, or the removal of members of the force for neglect of duty or misconduct.

The bill does not therefore meet the difficulty occasioned by the absence of the President of the board, by merely providing as its title indicates, for the appointment of a President pro tempore; but it adds to the embarrassments already existing by placing it in the power of one commissioner to overrule his two associates on every question, and in effect to control and direct (with the aid of the superintendent,) the whole machinery and business of the Metropolitan police department.

JOHN T. HOFFMAN.

The President stated the question to be "Shall this bill become a law notwithstanding the objections of His Excellency the Governor?"

Mr. O'Donnell moved to lay that question on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Nichols offered the following resolution:

Resolved, That a respectful message be sent to the Assembly asking them to transmit all petitions and papers in relation to Assembly bill 98, entitled "An act to incorporate the village of Williamsville."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the resolution relative to the appointment of a committee to investigate affairs of State Lunatic Asylum at Utica, with a message that they had appointed as such committee on part of the Assembly, Messrs. Davis, Gould, Kendall, Flagg and Patrick.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act concerning the Fourteenth precinct station house and the House of detention of witnesses of the Metropolitan police district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act in relation to the acknowledgment of deeds and other written instruments relating to real property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the American Museum of Natural History," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the New York Seamen's Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Harlem Yacht Club," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Port of Newburgh Warehouse and Elevator Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to authorize Daniel H. Pratt to establish and maintain a ferry across Lake Champlain at Champlain Point, in the town of Champlain, in the county of Clinton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act making the waters of the Hudson river navigable from the mouth of the river to the mouth of the Hudson creek, in the town of Canton, St. Lawrence county, a public highway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Morgan, from the committee on Indian affairs, to which was referred the bill entitled "An act prohibiting the board of commissioners of the land office from selling or granting any land to the Indians in the counties of Allegany and Cattaraugus, from granting any license to sell strong and spirituous liquors and wines upon Allegany and Cattaraugus Indian reservations in this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled "An act to remove Genesee College, and to provide for the separation of the financial affairs from the Genesee Wesleyan Seminary."

After some time spent therein, the President resumed the chair, and the Clerk, from said committee, reported progress on said bill, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled bill, with a message that it had concurred in the passage of the same without amendment:

"An act to provide additional buildings for lunatics in the city of New York."

Resolved, That the Clerk deliver said bill to the Governor.

Genet, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Avenue C Railroad Company of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mattoon, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Oswego Pier and Dock Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mattoon, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Oswego Pier and Dock Company," reported that they have made some amendments to the bill, and amended the title so as to read "An act to incorporate the Oswego Pier and Dock Company," and as amended, recommend its passage. Said bill was committed to the committee of the whole.

Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the New York Life Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

the First National Eclectic Assurance Society of the United States, and to change its corporate name," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed offered the following resolution :

Resolved, That each Senator hand to the Clerk the title of one bill to be placed on a special calendar, which special order shall have preference over all other bills on the general orders until disposed of. The bills placed on the special calendar shall be considered in the order in which they stand on the general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Mattoon, the Senate adjourned.

THURSDAY, MARCH 18, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Riley.

The journal of yesterday was read and approved.

Mr. Palmer presented two petitions of residents along the Hudson river, for an amendment of the game laws, which were read and referred to the committee on the judiciary.

Mr. Edwards presented a remonstrance of citizens and tax payers of the village of Edgewater, Richmond county, against the proposed amendments to the village charter, which was read and referred to the committee on municipal affairs.

Mr. Stanford presented a petition of citizens of Montgomery county, for the passage of a law regulating the carrying of freights on the several railroads of the State, which was read and referred to the committee on railroads.

Mr. Hubbard presented a petition of officers, keepers and guards of Auburn State prison, asking increase of their respective salaries, which was read and referred to the committee on State prisons.

Mr. Pierce presented a petition of citizens and property holders of the city of Brooklyn, to change railroad track from De Bevoise street, in said city, which was read and referred to the committee on railroads.

Mr. Williams presented two petitions of citizens of Wayne county, for a law regulating freight on railroads, which were read and referred to the committee on railroads.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and secure the payment thereof by bonds and mortgages,' passed April 17th, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20th, 1867,"

favor of the passage of the same with amendments, and said
mitted to the committee of the whole.

They, from the committee on municipal affairs, to which was
will entitled "An act to incorporate the village of Port Henry,"
favor of the passage of the same with amendments, and said
mitted to the committee of the whole.

ley, from the committee on municipal affairs, to which was bill entitled "An act to amend an act entitled 'An act to incorporate powers of the village of Silver Creek, in the county of Douglas,' passed April 17, 1857," reported in favor of the passage of the bill with amendments, and said bill was committed to the committee on the whole.

ley, from the committee on municipal affairs, to which was bill entitled "An act to incorporate the village of Charlotte, y of Monroe," reported in favor of the passage of the same ments, and said bill was committed to the committee of the

ley, from the committee on municipal affairs, to which was bill entitled "An act to amend an act entitled 'An act to and amend the several acts relating to the village of Sher- to enlarge the powers of the corporation of said village,' h 18, 1859," reported in favor of the passage of the same, and committed to the committee of the whole.

ley, from the committee on municipal affairs, to which was
bill entitled "An act to amend an act entitled 'An act to
pply of water in the city of Buffalo,' passed May 7th, 1868,"
favor of the passage of the same, and said bill was committed
ittee of the whole.

Assembly bill entitled "An act to repeal chapter 648 of the 1868, entitled 'An act to authorize the street commissioner of the village of Elmout, in the county of Allegany, to lay out and establish a new street in said village,' passed May 6, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Assembly bill entitled "An act to authorize the city of Troy money," reported in favor of the passage of the same, and said submitted to the committee of the whole.

Assembly bill entitled "An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county," in favor of the passage of the same, and said bill was committed to the committee of the whole.

Assembly bill entitled "An act to incorporate Rescue Hook Company No. 1, of the village of Bath," reported in favor of the same, and said bill was committed to the committee of

ley, from the committee on municipal affairs, to which was Assembly bill entitled "An act to amend section 3 of the act act to amend an act for the incorporation of villages," passed th, 1847, passed July 11th, 1851," reported adversely thereto.

Mr. Crowley moved to lay the question agreeing to the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enlarge the boundaries of the village of Goshen, and to confer certain powers and duties on the board of trustees," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Williamsville," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the petition of sheriff of Kings county and coroners of Kings county, for a bill to extend the term of office of physician to the jail of Kings county, reported by bill entitled "An act extending the term of service of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of three years," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Greenwich, Washington county, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Brooklyn City and Newtown Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An

act to amend the charter of the village of Johnstown, and the several acts amendatory thereof, and to extend the boundary of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the New York Railroad Company to construct certain railroads in the city and county of New York and across the Harlem river," reported that they have made some amendments thereto, and directed their chairman to report the same for the consideration of the Senate; said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds and take stock in any company now organized or that may be hereafter organized within five years after the passage of this act, for the purpose of building a railroad from Mechanicville, Saratoga county, to connect with the Rensselaer and Saratoga railroad in the town of Moreau, Saratoga county, or in the town of Fort Edward, Washington county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the Utica, Chenango and Susquehanna Valley Railroad to extend their road to Oneonta, in the county of Otsego, and to extend the time for bonding the towns along the line of said road to aid in building the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company and to authorize the election of fifteen directors to manage its affairs," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river, between the towns of Lysander in Onondaga county, and Schroepfel in the county of Oswego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill River road, in the town of Yonkers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to prevent injury to the bridge over the Tioughnioga river, in the town of Marathon, in the county of Cortland," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the 'Southern Boulevard,' passed April 9th, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Chehoxton Bridge Company, in Delaware county, New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the town of Dunkirk to construct a gravel, stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk,' passed April 30, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the construction of a road and bridge across Huntington harbor, in the town of Huntington and the county of Suffolk," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall be hereafter conducted."

"An act to amend an act entitled 'An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14, 1868, and extend and change the

route of said road and confer additional powers on the commissioners under said act."

"An act to incorporate the Beaver River Boom Company, and to authorize the erection of piers and booms across Beaver river, in Lewis county."

Also as correctly re-engrossed :

"An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies."

"An act to incorporate the Southern Tier Savings Bank, in the city of Elmira, Chemung county."

The Assembly sent for concurrence a resolution, in the words following :

IN ASSEMBLY, *March 17, 1869.*

Whereas, at the session of the fortieth Congress it was resolved by the Senate and House of Representatives of the United States of America assembled, two-thirds of both Houses concurring, that the following article shall be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which said amendment, when it shall have been ratified by three-fourths of the said Legislatures, shall be valid to all intents and purposes as a part of the said Constitution, namely :

"ARTICLE FIFTEEN.

"Section 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation."

Resolved, (if the Senate concur,) That the said proposed amendment to the Constitution be and the same is hereby ratified by the Legislature of the State of New York.

Ordered, That said resolution be laid on the table.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to incorporate the Schenectady Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act in relation to the Fifty-fifth Regiment of National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the improvement and maintenance of the public parks in the city of Brooklyn,' passed May 1, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols for Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to change the name of the Second Free Methodist Church of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to autho-

size the drainage of marsh land,' passed June 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted," having been announced for a third reading,

Mr. Stanford moved to lay the same on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hale	Nicks	Pierce	
Campbell	Edwards	Hubbard	O'Donnell	Stanford	
Chapman	Folger	Humphrey	Palmer	Thayer	
Creamer	Genet	Nichols	Parker	Tweed	20

FOR THE NEGATIVE.

Mattoon

1

The Assembly bill entitled "An act for supplying a deficiency in the appropriation for the maintenance of the State prisons, and for paying an award pursuant to chapter 633 of the Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, three-fifths of all the members elected to the Senate not voting thereon :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Stanford	
Campbell	Hale	Nichols	Parker	Thayer	
Creamer	Hubbard	Nicks	Pierce	Tweed	
Crowley	Humphrey				17

FOR THE NEGATIVE.

Folger

1

Mr. O'Donnell moved to reconsider the vote, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Beaver River Boom Company, and to authorize the erection of piers and booms across Beaver river, in Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Pierce
Bradley	Graham	Mattoon	O'Donnell	Stanford
Campbell	Hubbard	Morris	Palmer	Tweed
Edwards	Humphrey	Nichols	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon," passed May 14, 1868, and extend and change the route of said road and confer additional powers on the commissioners under said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Williams
Chapman	Hubbard			

22

FOR THE NEGATIVE.

Crowley	Folger	O'Donnell
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. O'Donnell moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act for supplying a deficiency in the appropriation for the maintenance of the State prisons, and for paying an award pursuant to chapter 683 of the Laws of 1868."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford
Bradley	Crowley	Humphrey	Nicks	Thayer
Campbell	Edwards	Kennedy	O'Donnell	Tweed
Cauldwell	Folger	Mattoon	Parker	Williams
Chapman	Hale	Morris	Pierce	

24

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Campbell	Edwards	Humphrey	Nicks	Stanford

Cauldwell
Chapman
Creamer

Folger
Graham
Hale

Kennedy
Mattoon
Morris

O'Donnell
Palmer
Parker

Thayer
Tweed
Williams

25

FOR THE NEGATIVE.

Bradley

1

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly forthwith, with a message informing that the Senate have concurred in the passage of the same without amendment.

Mr. Graham moved to take from the table the motion to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to the Assembly bill entitled "An act to enlarge the boundaries of the village of Goshen, and to confer certain powers and duties on the board of trustees."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Graham moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to enable the board of public instruction in the city of Albany to obtain sites for school purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act for the relief of the Hornell Library Association," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to incorporate the American Museum of Natural History," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to enable the village of Oxford to raise money for certain purposes," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to empower the Ineffable and Sublime Grand Lodge of Perfection, the Grand Council of Princes of Jerusalem, the Chapter of Rose Croix and the Sovereign Consistory of Masons of the Ancient Accepted Scottish rite, in the city of Albany, to hold and convey real estate," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to designate the place of holding the meetings of the board of supervisors of Oswego county, and to regulate the compensation of members thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties,

to which was referred the Assembly bill entitled "An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of one o'clock having arrived, the President announced the special order, being the motion of Mr. Creamer to discharge the committee on internal affairs of towns and counties from the further consideration of the bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors in the Metropolitan police district of the State of New York,' passed April 16, 1866," and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Mattoon	Norton	
Beach	Creamer	Graham	Morris	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Parker	Thayer	
Chapman	Hale	Nicks	Stanford	Williams	
Crowley	Humphrey	O'Donnell			13

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary."

"An act authorizing the board of supervisors of the county of Broome to contract with the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of persons convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary, at Syracuse, of persons convicted of crime in the county of Broome."

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Palmer, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from a majority of the committee on charitable and religious societies, to which was referred the bill entitled "An act in regard to the schools," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Williams, the Senate adjourned.

FRIDAY, MARCH 19, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Irvin.

The Journal of yesterday was read and approved.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against the bill to supply Main and Hamburg street canal with water, which was read and referred to the committee on municipal affairs.

Mr. Pierce presented a petition of Convent of the Sisters of Mercy in Brooklyn, for an appropriation, which was read and referred to the committee on finance.

Also a remonstrance of citizens of Brooklyn, against alleged attempt of Prospect park commissioners to procure the authority of the Legislature empowering them to sell or alienate lands in said city for Prospect park, which was read and referred to the committee on municipal affairs.

Mr. O'Donnell presented a remonstrance, against repeal of charter of People's Safe Deposit and Savings Institution of the State of New York, which was read and referred to the committee on banks.

Mr. Nicks, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley."

"An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary."

"An act authorizing the board of supervisors of the county of Broome to contract with the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of persons convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary, at Syracuse, of persons convicted of crime in the county of Broome."

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act making appropriation for the immediate completion and furnishing of portions of the Willard Asylum for the Insane, located near Ovid, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the bill entitled "An act to regulate the sale of tickets for admission to theatres, dramatic, operatic and other public amusements and entertainments in the cities of New York and Brooklyn," reported in favor of the passage of the same with amendments.

On motion of Mr. Creamer and by unanimous consent the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the Cohoes Gas Light Company to issue bonds to pay for the enlargement and extension of their works," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act confirming certain proceedings of the board of supervisors of Montgomery county, and in relation to the support of the poor in said county,' passed April 19, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to constitute the town of Southampton and that part of East Hampton lying within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district under the name of 'The Sag Harbor and Southampton Railroad district,' and to authorize the said district to issue bonds for the purpose of aiding the Long Island Railroad Company in constructing a branch railroad through said town of Southampton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was recommended the bill entitled "An act to regulate the sale of tickets to theatrical, dramatic and operatic amusements and entertainments in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to authorize the board of education of union free school district No. 1, of the town of Moravia, Cayuga county, to bond said district for the purpose of building a school house, and to legalize certain acts of the said board and of the inhabitants thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable the electors of the town of Milton, in the county of Saratoga, to vote by districts for town officers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend article 2d of title 2 of chapter 1 of part 2 of the Revised Statutes, in relation to trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act relative to the widening, straightening, laying out and opening of St. Ann's avenue and Carr avenue, in the town of Morrisania, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to extend the boundaries of the city of New York, and to provide for the improvement of such extension," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to provide for the erection of a new market building on the site of the present Washington market, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate, upon sales by order of surrogates,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the New York and Highland Suspension Bridge Railroad Company to build a bridge across the Harlem river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act for the relief of John Harvey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the common council of the city

Binghamton to raise an additional sum for highway purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to opening, widening and extending of streets, avenues and public places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Ticonderoga, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Juvenile Asylum,' passed June 30, 1851, and the acts amendatory of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide a place for the holding of the surrogates' courts, and for the safe keeping of the records of the surrogate in the city of Hudson, Columbia county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Stanford
Bradley	Creamer	Hubbard	Norton	Thayer
Campbell	Crowley	Kennedy	O'Donnell	Tweed
Canldwell	Genet	Nichols	Parker	19

FOR THE NEGATIVE.

Folger	Humphrey	Morris	3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Folger gave notice that he would, on some future day, move to suspend all rules of the Senate standing in the way, for the purpose of moving a select committee of nine to whom shall be referred the general orders, with power to report complete certain bills thereupon, under certain restrictions and regulations.

Mr. O'Donnell moved to take from the table the bill entitled "An act to repeal the act entitled 'An act for the letting of certain canal

repairs by contract,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Mattoon	O'Donnell	3
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FOR THE NEGATIVE.

Banks	Cauldwell	Edwards	Morris	Parker	
Beach	Chapman	Hale	Nichols	Stanford	
Bradley	Creamer	Hubbard	Nicks	Thayer	
Campbell	Crowley	Kennedy	Norton		19

The bill entitled "An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	O'Donnell	
Beach	Creamer	Hubbard	Nichols	Parker	
Bradley	Crowley	Humphrey	Nicks	Pierce	
Campbell	Edwards	Kennedy	Norton	Tweed	
Cauldwell	Genet	Mattoon			23

FOR THE NEGATIVE.

Stanford	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley moved to take from the table the bill entitled "An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Said bill having been announced for a third reading,

Mr. Parker moved to recommit said bill to the committee on municipal affairs, with instructions to substitute the following in lieu thereof:

"AN Act to fix the term of office of the commissioners of taxes and assessments for the city and county of New York, and to provide for the filling of vacancies in the office of commissioner."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The present commissioners of taxes and assessments for the city and county of New York shall hold their office for and during the full term of five years from and after the passage of this act, and there-

after the term of office of said commissioners shall be five years, to be filled by appointment by the board of supervisors of the county of New York. All vacancies, from death, resignation, or otherwise, in the board of commissioners of taxes and assessments, now existing or that may hereafter occur, shall be filled by the remaining members of said board by appointment for and during the remainder of the term.

§ 2. This act shall take effect immediately.

The President put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Chapman	O'Donnell	Parker	Thayer	5
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FOR THE NEGATIVE.

Banks	Crowley	Hale	Mattoon	Norton	
Beach	Edwards	Hubbard	Morris	Pierce	
Bradley	Folger	Humphrey	Nichols	Stanford	
Cauldwell	Genet	Kennedy	Nicks	Tweed	
Cremer					21

Mr. O'Donnell moved to recommit said bill, with instructions to strike out as follows :

"§ 2. Upon the appointment of commissioners of taxes and assessments being made as provided in the preceding section, the several offices, clerkships and positions filled by the appointments of the present, or any former commissioners of taxes and assessments of the city and county of New York, shall become vacant."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. O'Donnell moved to recommit said bill to the committee on municipal affairs, with instructions to strike out in section 3, the following words :

"And for the more effectual discharge of their duties the said commissioners are hereby authorized to employ counsel at an annual salary to be fixed by the board of supervisors of said county."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Parker	Thayer	
Chapman	Hale	O'Donnell			8

FOR THE NEGATIVE.

Banks	Cremer	Hubbard	Nichols	Pierce	
Beach	Crowley	Humphrey	Nicks	Stanford	
Bradley	Edwards	Mattoon	Norton	Tweed	
Cauldwell	Genet	Morris			18

Said bill was then read a third time.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cremer	Hale	Mattoon	Norton
Beach	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford

Campbell	Folger	Kennedy	Nicks	Tweed	
Cauldwell	Genet				22

FOR THE NEGATIVE.

Chapman	O'Donnell	Parker	Thayer		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the board of supervisors of the county of Broome to contract with the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of persons convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary, at Syracuse, of persons convicted of crime in the county of Broome," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Morris	Parker	
Beach	Crowley	Hubbard	Nichols	Pierce	
Campbell	Edwards	Kennedy	Nicks	Stanford	
Cauldwell	Folger	Mattoon	Norton	Tweed	
Chapman					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hale, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Ticonderoga, in the county of Essex," reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce	
Bradley	Crowley	Hubbard	Nicks	Stanford	
Campbell	Edwards	Kennedy	Norton	Thayer	
Cauldwell	Folger	Mattoon	O'Donnell	Tweed	
Chapman	Genet	Morris	Parker		24

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly immediately, with a message requesting their concurrence therein.

On motion of Mr. Norton and by unanimous consent the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend the charter of the People's Fire Insurance Company of the city of New York," and the same ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Pierce
Beach	Crowley	Hubbard	Morris	Stanford
Campbell	Edwards	Humphrey	Nicks	Thayer
Cauldwell	Folger	Kennedy	Norton	Tweed
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Nicks and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same, and requiring said town to apply said money to the payment of bonds issued by said town for the building of a bridge over the Chemung river," and the same ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	O'Donnell
Beach	Crowley	Hale	Mattoon	Pierce
Campbell	Edwards	Hubbard	Nicks	Thayer
Cauldwell	Folger	Humphrey	Norton	Tweed
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Tweed and by unanimous consent the committee of the whole was discharged from the further consideration of the bill entitled "An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church," and the same ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nicks	Pierce
Beach	Edwards	Kennedy	Norton	Stanford
Cauldwell	Genet	Morris	O'Donnell	Thayer
Chapman	Hale	Nichols	Parker	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Genet offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nicks, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Ticonderoga, in the county of Essex."

Mr. Morris, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the board of education of school district No. 1, in the town of Sherman, Chautauqua county, to borrow money for the purpose of purchasing a site and building a house thereon," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nichols	Pierce
Beach	Creamer	Hubbard	Nicks	Stanford
Bradley	Crowley	Humphrey	Norton	Thayer
Campbell	Edwards	Kennedy	Parker	Tweed
Cauldwell	Folger	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Bradley moved to recommit the bill entitled "An act to regulate the sale of tickets for admission to theatres, dramatic, operatic and other public amusements in the cities of New York and Brooklyn," to the committee on municipal affairs, that it retain its place in the order of third reading of bills, and be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Humphrey moved that the Senate go into executive session, for confirmation of notaries public.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Kennedy, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to amend an act entitled 'An to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend the charter of the Hamilton Savings Bank," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7, 1863," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the West Side Savings Bank, to be located in the city of New York,' reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend chapter 166, Laws of 1860, entitled "An act to incorporate the Citizens' Savings Bank," passed April 5, 1860," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Clinton County Savings Bank," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the 'Greenburgh Savings Bank,' in the town of Greenburgh, Westchester County," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act extending the time for collecting taxes in the town of Belfast, county of Allegany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Humphrey and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Parker
Bradley	Edwards	Humphrey	Nicks	Pierce
Campbell	Folger	Kennedy	Norton	Stanford
Cauldwell	Genet	Morris	Palmer	Tweed
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bills entitled as follows:

"An act to authorize the city of Syracuse to issue bonds and take stock in 'The Syracuse Northern' and 'The Syracuse and Chenango Valley' Railroad Companies."

"An act to incorporate the Southern Tier Savings Bank, in the city of Elmira."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to extend the time for the collection of taxes in the town of Ticonderoga, in the county of Essex."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Genet, the Senate adjourned.

MONDAY, MARCH 22, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Schleissinger.

The journal of Friday was read and approved.

Mr. Parker presented a petition of the Union Republican General Committee of the city and county of New York, in favor of the passage of the Fifteenth Constitutional amendment, which was read and laid on the table.

Mr. Chapman presented a petition of citizens of Deposit, asking for an amendment of their charter, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented a petition of citizens of Buffalo, for an appropriation for enlarging accommodations for orphans in the Church Charity Foundation in Buffalo, which was read and referred to the committee on finance.

Mr. Van Petten presented a petition of certain tax-payers of the village of Herkimer, against change of charter, which was read and referred to the committee of the whole.

Mr. Parker presented a petition for aid to improve the navigation of St. Regis river, which was read and referred to the committee on finance.

Mr. Van Petten presented four petitions for amendment of law relative to taxing parsonages, which were read and referred to the committee on finance.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the several acts relating to taxes upon dogs, so far as relates to the county of Cayuga," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act declaring the westerly branch of St. Regis river a public highway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable the electors of the town of Fort Ann, Washington county, to vote by districts for town officers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to incorporate the Irish Brigade Association in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the construction and maintaining a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to enlarge and fix the boundaries of union free school No. 1, in the towns of Wolcott, Huron and Butler, Wayne county,'" reported adversely thereto.

Mr. Chapman moved to lay the question agreeing to the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act extending the time for collecting taxes in the city of Oswego."

"An act extending the time for collecting taxes in the town of Belfast, county of Allegany."

"An act to amend the charter of the People's Fire Insurance Company of the city of New York."

"An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same, and requiring said town to apply said money to the payment of bonds issued by said town for the building of a bridge over the Chemung river."

"An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church."

The President presented the second annual report of the Board of State Commissioners of Public Charities, which was laid on the table and ordered printed.

(See Doc. No. 61.)

Mr. O'Donnell offered the following resolution:

Resolved, That 750 copies of the report of the Board of State Commissioners of Public Charities, in paper covers, and 250 copies bound in cloth, be printed for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly sent for concurrence the bills entitled as follows:

"An act to extend the time for the collection of taxes in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to unite the village of Lansingburgh to the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Little Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the disposition of the surplus money arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,' passed May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act in relation to the Board of State Commissioners of Public Charities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend section 1 of chapter 182 of Laws of 1846, in relation to the recording of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act entitled 'An act to establish and amend the charter of the village of Deposit,' passed March 2, 1858, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Van Petten moved to take from the table the motion to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16, 1844."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Van Petten moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten moved to reconsider the vote by which the committee on internal affairs of towns and counties were discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors in the Metropolitan Police district,' passed April 16, 1866."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morgan	Parker	Van Petten	
Hale	Kennedy	Nicks	Thayer		9

FOR THE NEGATIVE.

Banks	Edwards	Genet	Hubbard	Nichols	5
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Mr. Van Petten moved to recommit said bill to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street and in certain other streets and avenues in the city of New York."

"An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof."

"An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103, of the Laws of 1867, and to renew the appropriation made thereby."

After some time spent therein the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Beach, the Senate adjourned.

TUESDAY, MARCH 23, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Senter.

The journal of yesterday having been read,

Mr. Bradley moved to expunge from the journal that portion thereof relating to the bill entitled "An act to amend the act entitled 'An act to regulate the sale of intoxicating liquors in the Metropolitan Police district,' passed April 16, 1866."

Mr. Crowley moved the following amendment to the journal, as a substitute for the motion of Mr. Bradley: "Senators Folger, Chapman and O'Donnell being present, severally stated they were paired with absent Senators, and were therefore by unanimous consent excused from voting by the Senate."

The President put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the affirmative.

And the journal as amended approved.

Mr. Morgan presented a petition of 800 citizens of Rochester, in favor of *pro rata* freight bill, which was read and referred to the committee on railroads.

Mr. Pierce presented a remonstrance of citizens of Brooklyn, against proposed sale of Prospect park, which was read and referred to the committee on municipal affairs.

Also a remonstrance against extension of Fifth avenue, Brooklyn, which was read and referred to the committee on municipal affairs.

Also a remonstrance of property owners on Gold street between Wilmoughby street and Fulton avenue, against granting permission to Brooklyn city and Newtown Railroad Company to lay tracks on said streets, which was read and referred to the committee on railroads.

Mr. Edwards presented a remonstrance of inhabitants of the village of Edgewater, Richmond county, against the passage of charter amendments, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against bill for supply of water to Main and Hamburg street canal, which was read and referred to the committee on municipal affairs.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Fidelity Safe Deposit Company of the city of New York,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the petition of citizens of Ontario county for a savings bank, reported by bill entitled "An act to incorporate the 'Ontario County Savings Bank,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the petition of citizens of Canandaigua for a savings bank at that place, reported by bill entitled "An act to incorporate the Canandaigua Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the Savings Bank of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the Ithaca Savings Bank by adding two additional trustees," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passage and freight depot of the Erie Railway Company in the town of Warsaw," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the petition of citizens of Western New York, for an asylum for the insane in Western New York, reported by bill entitled "An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the 8th judicial district," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street and in certain other streets and avenues in the city of New York."

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to create the Manhattan Eye and Ear Hospital in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to change the name of the 'Second Free Methodist Church of Buffalo,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act relative to the Nursery and Childs Hospital of the city of New York,' passed April 17, 1866," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Murphy	Stanford
Beach	Creamer	Hubbard	Nichols	Thayer
Campbell	Edwards	Humphrey	Nicks	Tweed
Cauldwell	Genet	Mattoon	Pierce	

19

FOR THE NEGATIVE.

Crowley

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend the charter of the Missionary Society of the Methodist Episcopal Church," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to enable the trustees of the First Baptist Church of the town of Mooers, Clinton county, to sell their church property to the trustees of the Second Methodist Church of the same town," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from a majority of the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the corporate title of the 'General Synod of the Reformed Protestant Dutch Church,' to that of the 'General Synod of the Reformed Church in America,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 4 of title 3 of chapter 8 of part 2d of the Revised Statutes, relative to wills and the appointment of guardians by surrogates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Masonic Hall Association of the village of Hornellsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to plank roads and turnpike roads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the judges of the several courts of the county of Kings to send prisoners convicted and sentenced for terms less than five years to the penitentiary of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the Richmondville and Summit Plankroad Company to abandon all that part of their road lying south of Summit Four Corners, and declaring said road a public highway, or to sell any portion of said road necessary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the German Savings Bank of the city of New York,' passed April 9, 1859, passed March 4, 1865,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorizing the General Theological Seminary of the Protestant Episcopal Church in the United States, to confer honorary degrees in theology," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the drainage of the low lands in the south-east part of the town of Cambria, in the county of Niagara,' passed May 7, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railroad track on South, West, and certain other streets in the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the 10th section of an act to repeal chapter 410, passed April 14, 1860, and chapter 303, passed April 17, 1861, and to divide the crime of murder into two degrees, and to prescribe the punishment of arson," passed April 12, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to increase the powers of the Sisterhood of St. Mary, a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act relating to the House of Mercy, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act in relation to the receiver of taxes and assessments for the town and village of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to make provision for the government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to make provision for the government of the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend 'An act to increase the compensation of the justices of the sessions in the county of Kings,' passed April 11th, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars to reimburse the amount borrowed for the support of the poor,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend section 22 of chapter 7, title 4 of part 1 of the Revised Statutes, and section 57, chapter 12, title 2, part 1 of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the charter of the village of Little Falls," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act to incorporate the village of Richfield Springs," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to change the boundaries of certain towns in the county of Schuyler," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The President presented resolutions of Union League Club of city of New York, requesting passage of fifteenth amendment to Federal Constitution, which was read and laid on the table.

Also a communication from the Secretary of State, relative to amount of fees paid into his office, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 63.)

Also the report of Directors of the Brooklyn Institute, relative to trust funds income of the Institute, for year ending December 31, 1868, which was laid on the table and ordered printed.

(See Doc. No. 64.)

The bill entitled "An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street and in certain other streets and avenues in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Edwards	Humphrey	Nicks.	Thayer	
Campbell	Genet	Kennedy	Palmer	Van Petten	
Cauldwell	Hale	Mattoon	Pierce		19

FOR THE NEGATIVE.

Chapman	Crowley	Norton	O'Donnell	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Hale and by unanimous consent, the committee on the judiciary were discharged from the further consideration of the Assembly bill entitled "An act to extend the time for collection of taxes in the county of Clinton," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Pierce
Beach	Creamer	Hubbard	Nicks	Stanford
Bradley	Crowley	Humphrey	O'Donnell	Thayer
Campbell	Edwards	Kennedy	Palmer	Tweed
Cauldwell	Folger	Morgan	Parker	Van Petten 25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. O'Donnell offered the following resolution:

Resolved, That the privileges of the Senate be granted to his Excellency Gov. Page of Vermont, during his stay in the city.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hubbard offered the following resolution:

Resolved, That the Senate hold a session this evening at 7½ o'clock, for consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Board of State Commissioners of Public Charities, reported in favor of the adoption of the following resolution:

Resolved, That 750 copies of the report of the Board of State Commissioners of Public Charities, in paper covers, and 250 copies bound in cloth, be printed for the use of the Board, and 500 copies in paper covers, for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to aid in the completion of the Whitehall and Plattsburg railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby."

"An act to authorize the trustees of the village of Kinderhook, in the county of Columbia, to raise money by tax to pay for fire alarm bell and town clock."

"An act to incorporate the First National Savings Bank of Lowville."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend section 22 of chapter 7, title 4 of part 1 of the Revised Statutes, and section 57, chapter 12, title 2, part 1 of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the charter of the village of Little Falls," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act to incorporate the village of Richfield Springs," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to change the boundaries of certain towns in the county of Schuyler," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The President presented resolutions of Union League Club of city of New York, requesting passage of fifteenth amendment to Federal Constitution, which was read and laid on the table.

Also a communication from the Secretary of State, relative to amount of fees paid into his office, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 63.)

Also the report of Directors of the Brooklyn Institute, relative to trust funds income of the Institute, for year ending December 31, 1868, which was laid on the table and ordered printed.

(See Doc. No. 64.)

The bill entitled "An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street and in certain other streets and avenues in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Edwards	Humphrey	Nicks.	Thayer	
Campbell	Genet	Kennedy	Palmer	Van Petten	
Cauldwell	Hale	Mattoon	Pierce		19

FOR THE NEGATIVE.

Chapman	Crowley	Norton	O'Donnell		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Hale and by unanimous consent, the committee on the judiciary were discharged from the further consideration of the Assembly bill entitled "An act to extend the time for collection of taxes in the county of Clinton," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Pierce
Beach	Creamer	Hubbard	Nicks	Stanford
Bradley	Crowley	Humphrey	O'Donnell	Thayer
Campbell	Edwards	Kennedy	Palmer	Tweed
Cauldwell	Folger	Morgan	Parker	Van Petten 25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. O'Donnell offered the following resolution:

Resolved, That the privileges of the Senate be granted to his Excellency Gov. Page of Vermont, during his stay in the city.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hubbard offered the following resolution:

Resolved, That the Senate hold a session this evening at 7½ o'clock, for consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Board of State Commissioners of Public Charities, reported in favor of the adoption of the following resolution:

Resolved, That 750 copies of the report of the Board of State Commissioners of Public Charities, in paper covers, and 250 copies bound in cloth, be printed for the use of the Board, and 500 copies in paper covers, for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to aid in the completion of the Whitehall and Plattsburg railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby."

"An act to authorize the trustees of the village of Kinderhook, in the county of Columbia, to raise money by tax to pay for fire alarm bell and town clock."

"An act to incorporate the First National Savings Bank of Lowville."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of the first and last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Tweed, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

In pursuance of previous notice, Mr. Folger moved to suspend the rules that he may introduce the following resolution.

The President put the question whether the Senate would agree to said motion to suspend the rules, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Folger offered the following resolution:

Resolved, That a select committee of nine, consisting of a chairman, and in addition one member from each of the judicial districts of the State, be appointed to whom shall be referred the bills on general orders, with power to select therefrom such bills as they may deem proper, and report the same complete. The committee shall hold open meetings at stated hours at some stated place, either in the Senate chamber or a committee room. It shall take no action upon any bill except at a regular meeting of the committee and with six members being present. They shall take up the bills in the order in which they stand upon the calendar of general orders, and in all cases the votes of six members of the committee shall be necessary to report any bill. No bill shall be reported by said committee, making an appropriation from the treasury of the State, or involving any claim against the State, nor any bill relating to city railroads, nor any bill reported for the consideration of the Senate, nor any bill from which a minority of a standing committee has dissented, nor any bill bonding towns for railroad purposes. The committee shall make a list of the bills so taken off by them, which list shall be read by the Clerk, and if approved by a majority of all the members of the Senate, the said bills shall be ordered to a third reading. Any bill reported complete may, when a question of agreeing to the report of the committee is taken up, be referred back to the committee of the whole, upon the demand of thirteen Senators. The Clerk of the Senate shall act as the clerk of the select committee.

Mr. Folger moved that said resolution be laid on the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Folger, the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,'" reported that they have made some amendments thereto, and amended the title so as to read "An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,'" and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a town and soldiers memorial hall," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the board of supervisors of Ontario county to levy a tax upon the town of Phelps for the benefit of a hall in Orleans in which to hold elections," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize a tax in the town of Phelps for a town hall at Orleans village," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the State of New York to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the drainage of marsh lands,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Parker offered the following resolution:

Resolved, That the bill entitled "An act in relation to the 'Homœopathic Medical College of the State of New York, in New York city,'" be recommitted to the committee on public health and medical societies and colleges, retaining its place on general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act changing the name of the Cherry Valley and Mohawk River Railroad Company, and to facilitate the construction of the road, and to exempt from certain taxation town bonds, used for the construction thereof."

Assembly, "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

"An act to amend an act entitled 'An act to incorporate the 'Fire Proof Warehousing Company.'"

After some time spent therein, the President resumed the chair, and Mr. Banks, from said committee, reported in favor of the passage of the first named bill with amendments.

Mr. Folger renewed the amendment made in committee of the whole, to strike out the second section of the bill.

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks
Crowley

Edwards
Folger

Kennedy
Morgan

Nichols
Nicks

O'Donnell

FOR THE NEGATIVE.

Campbell	Creamer	Mattoon	Norton	Stanford	
Cauldwell	Hale	Morris	Parker	Tweed	
Chapman	Hubbard	Murphy	Pierce	Van Petten	15

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Banks, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Banks, from the same committee, reported in favor of the passage of the last named bill without amendment.

Mr. Folger moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17, 1860."

"An act in relation to the Wallabout improvement in the city of Brooklyn."

"An act to incorporate the Fulton Market Fish Mongers' Association of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Van Petten, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act to reorganize the fire department of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of George Devitt, in the town of Waterford, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the Canal Commissioners to construct a farm bridge over the Erie canal, on the farm of Arsino B. Warner, in the town of Greece, county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize Dale Cemetery Association in the town of Ossining, in the county of Westchester, to invest their surplus funds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein,' passed May 7, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to protect, improve and keep in repair the Buffalo and Will-

iamsville McAdam road, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize certain towns in Oneida county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Clinton, Oneida county, to Rome in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to annex part of the town of New Rochelle to the town of Scarsdale, in the county of Westchester, and to alter the boundaries thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act to authorize the electors of the town of Bethlehem, Albany county, to vote for town officers by election districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the Coeymans and Westerlo Plank road, the Union Turnpike road and the Westerlo Turnpike road, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12th, 1846,' and the acts amendatory thereof, passed April 10th, 1850, and April 14th, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of certain piers on the North river, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act authorizing and directing the disposition of money derived from the sale of church property of the Mendon Central Congregational Society, of Mendon, Monroe county."

"An act to authorize the extension of the 'Clove Branch railroad' and to facilitate its construction."

"An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany."

"An act to change the name of the 'Young Men's Hebrew Benevolent Association in the city of New York,' to the 'Hebrew Benevolent Fuel Association.'"

"An act to incorporate the Phenix Hook and Ladder Company No. 1, of Greenport, Suffolk county."

"An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund."

"An act extending the time for collecting taxes in the town of Belfast, county of Allegany."

"An act requiring the accounts of the superintendents of the poor of

Allegany county to be audited by the board of supervisors in the same manner as the accounts of other officers and persons."

"An act to amend section 1 of chapter 765 of the Laws of 1867, entitled 'An act to release to Robert Jones, as trustee and executor, the title and interest of the people of this State in and to certain lands in the city of Utica, Oneida county, and empowering him to convey the same,' passed April 24, 1867."

"An act to authorize the Society for the Relief of Poor Widows with Small Children, to take and hold real and personal property."

"An act to authorize the payment by the town of Afton to the commissioners for the erection of a new bridge in said town to the amount expended by them for extra anchors for said bridge."

"An act to amend an act entitled 'An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms,' passed March 31, 1868."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Van Petten, the Senate adjourned.

WEDNESDAY, MARCH 24, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Schleissenger.

The Journal of yesterday was read and approved.

Mr. Murphy presented a remonstrance of the common council of the city of Brooklyn, against the bill to reorganize the board of water and sewer commissioners of that city, which was read and referred to the committee on municipal affairs.

Also a remonstrance of the board of supervisors of Kings county, against the passage of an act to correct the taxes of that city for the year 1868, so far as relates to Third street, which was read and referred to the committee on municipal affairs.

Also a petition in favor of passage of bill to lay out a highway in Flatbush avenue, which was read and referred to the committee on municipal affairs.

Mr. Creamer presented a petition of New York merchants, for Nautical school in New York, which was read and referred to the committee on municipal affairs.

Mr. Morgan presented a petition of Onondaga Indians, for a law incorporating an agricultural society on their reservation, which was read and referred to the committee on Indian affairs.

Mr. Pierce presented a petition of owners of property on North-Second street, in the city of Brooklyn, for an act to widen and improve said street, which was read and referred to the committee on municipal affairs.

Also a remonstrance against selling a portion of Prospect park, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a petition of inhabitants of Edgewater, Richmond county, against village charter, which was read and referred to the committee on municipal affairs.

Also a petition of citizens of Newtown, Queens county, to enable elec-

tors of said town to vote in districts for town officers and other purposes, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereto," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to create a board of trustees for the town of West Farms, in the county of Westchester, and to define their powers," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the receiver of taxes and assessments for the town and village of Yonkers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to establish fire limits and for the more effectual prevention of fires in the town of Morrisania, and to provide for the appointment of a superintendent of buildings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of vertical wood docking along the berme bank of the Erie canal in the village of Rome," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Creamer, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to provide for sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Banks dissented from said report.

Mr. Mattoon, from the committee on canals, to which was referred the bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 copies of the report of the Managers of the State Lunatic Asylum at Utica, be printed on fine paper and bound for the use of the Managers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the completion of the Gowanus canal, in the city of Brooklyn, and for the collection of the

expenses thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of the supervisor and town clerk of the town of Huron in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the drainage of low lands in the south-east part of the town of Cambria, in the county of Niagara,' passed March 9, 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the execution and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the Statutes in reference to the collection of taxes in the county of Onondaga,' passed May 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on canals, to which was referred the Assembly bill entitled "An act authorizing the Canal Commissioners to contract the raising of the road bed in the town of Fort Ann, and providing for the payment of the same," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act relative to the Nursery and Child's Hospital of the city of New York,' passed April 17, 1866."

"An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof."

"An act to aid in the completion of the Whitehall and Plattsburgh

railroad, and to amend chapter 103, of the Laws of 1867, and to renew the appropriation made thereby."

"An act to authorize the trustees of the village of Kinderhook, in the county of Columbia, to raise money by tax to pay for fire alarm bell and town clock."

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relating to 'The House of Mercy' of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 205 of the Laws of 1863, being an act relative to St. Joseph's Orphan Asylum, Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the classification of the directors of the New York Institution for the instruction of the deaf and dumb, and relating to said Institution," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented a communication from the Comptroller, transmitting report of S. H. Sweet, civil engineer, relative to supplying State Lunatic Asylum at Utica with water, which was laid on the table and ordered printed.

(See Doc. No. 65.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 1, chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104 of the Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act incorporating the village of Sing Sing, in the county of Westchester, passed April 9, 1853, and the act supplementary thereto and amendatory thereof, passed April 18, 1859, and also the act supplementary thereto and amendatory thereof, passed March 3, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the making and opening of a road or avenue in the town of Greenburgh, in the county of Westchester, to be known as and called 'Tarrytown avenue,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act relating to certain non-resident highway taxes in Clinton county, and the old military tract,' passed May 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the laying out and opening of a highway in the town of Flatbush, in the continuation of East New York avenue," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to the widening of the Coney Island plankroad in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, *March 23, 1869.*

Resolved, That a respectful message be sent to the honorable the Senate, requesting the return to this House of the bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego."

By order.

EDWARD F. UNDERHILL, *Clerk.*

Mr. Kennedy moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be returned to the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy moved to reconsider the vote just taken, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act passed April 12, 1859, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 13, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on canals, to which was referred the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend chapter of the Laws of 1867, entitled 'An act to alter the map or plan of the city of New York, and for the laying out and improvement of the same,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend section 37 of title 1st, chapter 5, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the Buffalo and Washington railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the board of directors of the Westchester County Mutual Insurance Company to change the location of its principal office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act for the better protection of livery stable keepers, and those who keep and board horses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to confer citizenship upon such native born Indians of this State as may desire to become citizens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to incorporate the Onondaga Agricultural Society, among the Onondaga Indians in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the Dunkirk, Warren and Pittsburgh Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend 'An act to prevent animals from running at large in the public highways,' passed April 23, 1862, and to create a short bar to actions arising under said act,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to aid the construction of the Lake Ontario Shore railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the Southern Central railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the New York and Oswego Midland railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Folger moved to take from the table the bill entitled "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials towards the erection, altering and repairing of buildings in the city of New York,' passed May 5, 1863," and that the same be recommitted to the committee on the judiciary, retaining its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act in relation to the Wallabout improvement in the city of Brooklyn."

"An act to incorporate the First National Savings Bank of Lowville."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17, 1860."

"An act to incorporate the Fulton Market Fish Mongers' Association of the city of New York."

The bill entitled "An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Kennedy	Norton	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby," having been announced for a third reading,

On motion of Mr. Hubbard and by unanimous consent, said bill was amended as follows.

the end of first section, in printed bill, the following:
 "That the said Whitehall and Plattsburgh railroad shall not
 receive aid under any general act which may hereafter be
 passed in the construction of railroads in this State."
 The bill was amended, was read a third time.

The President put the question whether the Senate would agree to the
 passage of said bill, and it was decided in the affirmative, a majority
 of members elected to the Senate voting in favor thereof, and
 of said members being present, as follows:

FOR THE AFFIRMATIVE.

Genet	Mattoon	Nicks	Stanford
Graham	Morris	Norton	Thayer
Hale	Murphy	Palmer	Tweed
Hubbard	Nichols	Pierce	Van Petten

21

FOR THE NEGATIVE.

Edwards	Folger	Kennedy	Parker
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6

That the Clerk deliver said bill to the Assembly, and request
 concurrence therein.

entitled "An act to authorize the trustees of the village of Kin-
 the county of Columbia, to raise money by tax, to pay for
 bell and town clock," was read a third time.

ident put the question whether the Senate would agree to the
 e of said bill, and it was decided in the affirmative, a majority
 members elected to the Senate voting in favor thereof, and
 of said members being present, as follows:

FOR THE AFFIRMATIVE.

Folger	Kennedy	Nichols	Parker
Genet	Mattoon	Nicks	Stanford
Graham	Morgan	Norton	Tweed
Hubbard	Morris	Palmer	Van Petten

21

That the Clerk deliver said bill to the Assembly, and request
 concurrence therein.

Assembly bill entitled "An act changing the name of the Cherry
 Mohawk River Railroad Company, and to facilitate the con-
 struction of the road, and to exempt from certain taxation town bonds,
 the construction thereof," was read a third time.

ident put the question whether the Senate would agree to the
 e of said bill, and it was decided in the affirmative, a majority
 members elected to the Senate voting in favor thereof, and
 of said members being present, as follows:

FOR THE AFFIRMATIVE.

Graham	Morris	Parker	Tweed
Hale	Murphy	Stanford	Van Petten
Hubbard	Norton	Thayer	Williams
Mattoon			

17

FOR THE NEGATIVE.

Creamer	Folger	Morgan	O'Donnell
Crowley	Kennedy	Nichols	Palmer

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the Wallabout improvement in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nichols	Parker
Beach	Graham	Morgan	Norton	Pierce
Campbell	Hale	Morris	O'Donnell	Stanford
Cauldwell	Kennedy	Murphy	Palmer	Tweed
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the First National Savings Bank of Lowville," having been announced for a third reading,

On motion of Mr. O'Donnell and by unanimous consent, said bill was amended by striking out in section 6, the words "or of the county of Lewis."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Parker
Campbell	Genet	Mattoon	Nicks	Pierce
Cauldwell	Graham	Morgan	Norton	Stanford
Crowley	Hubbard	Morris	O'Donnell	Thayer
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Murphy	Stanford
Beach	Creamer	Kennedy	Palmer	Tweed
Bradley	Crowley	Mattoon	Parker	Van Petten
Campbell	Graham	Morgan	Pierce	

19

FOR THE NEGATIVE.

Morris	Thayer	Williams
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

entitled "An act to incorporate the Fulton Market Fish Association of the city of New York," was read a third time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, and all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Mattoon	Nicks	Thayer
Folger	Morgan	Norton	Tweed
Graham	Morris	Parker	Van Petten
Hubbard	Murphy	Pierce	Williams
Kennedy	Nichols		

23

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

Mr. Folger moved to take from the table the resolution heretofore adopted, as follows:

That a select committee of nine, consisting of a chairman, and in addition one member from each of the judicial districts of the State, be appointed to whom shall be referred the bills on general orders, and to select therefrom such bills as they may deem proper, and to report the same complete. The committee shall hold open meetings at such place as they may determine, at some stated place, either in the Senate chamber or a committee room. It shall take no action upon any bill except at a regular meeting of the committee and with six members being present. They shall report the bills in the order in which they stand upon the calendar of bills, and in all cases the votes of six members of the committee shall be necessary to report any bill. No bill shall be reported by the committee, making an appropriation from the treasury of the State, nor any bill claiming any claim against the State, nor any bill relating to city railroads, nor any bill reported for the consideration of the Senate, nor any bill which a minority of a standing committee has dissented, nor any bill for the incorporation of towns for railroad purposes. The committee shall make a list of all bills so taken off by them, which list shall be read by the Clerk, and if approved by a majority of all the members of the Senate, the said bill shall be ordered to a third reading. Any bill reported complete shall be taken up for a question of agreeing to the report of the committee is taken up, and if agreed to by the committee of the whole, upon the demand of any member, the bill shall be ordered to a third reading. The Clerk of the Senate shall act as the clerk of the committee.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger moved to amend by adding after word "State" in line 3, "and an additional member from the first judicial district." Mr. Folger moved to amend the amendment by including also the second judicial district.

The President put the question whether the Senate would agree to said amendment, and it was decided in the negative.

Mr. Folger moved to amend the amendment of Mr. Norton, as follows: "That all after the word 'Resolved,' down to and including the word 'and' and insert the following in place thereof: 'That a select committee of nine, consisting of a chairman, and in addition two from each judicial district, and one from each other judicial district, except where the chairman resides.'"

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative.

Mr. Creamer moved to amend said resolution by adding at the end thereof the following :

"Bills printed and upon the general orders may be referred to this committee by resolution in writing reciting the number of the bill and its title in full."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Parker moved to amend said resolution by striking out the following words :

"Nor any bill bonding towns for railroad purposes."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Bradley	Graham	Morris	Palmer	Tweed
Campbell	Hale	Murphy	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams
Crowley	Kennedy	Nicks		

28

FOR THE NEGATIVE.

Creamer

1

Mr. Pierce moved that the Senate go into executive session at 1½ o'clock this day, for the confirmation of notaries public, and for consideration of any other business by unanimous consent of Senate.

Mr. Tweed moved to amend by striking out "1½" and inserting "2."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion as amended, and it was decided in the affirmative.

Mr. Mattoon gave notice that he would, at some future day, move to amend rule 48 of the rules and orders of the Senate in relation to executive sessions.

Mr. O'Donnell offered the following resolution :

Whereas, The Senate did on the 17th day of February, 1869, pass a resolution of which the following is a copy :

"Resolved, That the proper officers of every steam railroad in the State be directed to report to the Senate by the fifth day of March next, the tariff of prices for transportation of freight and passengers charged during the year, and for each month of the year, from and to the various stations in the State, and the tariff of prices charged from and to the principal points in the Western States."

And whereas, No reply has been made by the New York Central or Erie railroads to said resolution ; therefore,

Resolved, That a writ of attachment issue to the Sergeant-at-Arms of the Senate, commanding him to seize and bring before the Senate D. Torrance, Vice-President of the New York Central railroad, and Jay Gould, President of the Erie railroad.

Mr. O'Donnell moved to lay said resolution upon the table.

gent put the question whether the Senate would agree to said
r on the table, and it was decided in the affirmative.

r offered the following resolution:

That the commissioners of the Metropolitan fire department
re hereby requested to inform the Senate of the State of New

her or not they have difficulty in procuring as many and as
the department needs as firemen for the present pay of \$1,000

her or not they have on file in their department applications
persons for appointment as firemen at the present pay.

her or not in their opinion the necessities of the public service
creased rate of pay for firemen.

er moved to lay said resolution upon the table.

gent put the question whether the Senate would agree to said
r on the table, and it was decided in the affirmative.

r moved to take from the table the motion to reconsider the
g to adverse report of judiciary committee to the bill entitled
release to Rice Lewis of West Turin, Lewis county, certain
State, and to authorize him to hold the same and take out
ministration and administer' on the estate of Morris Lewis,

gent put the question whether the Senate would agree to said
ke from the table, and it was decided in the affirmative.

r moved to recommit said bill to the judiciary committee.

gent put the question whether the Senate would agree to said
it was decided in the affirmative.

r moved to take from the table the question agreeing to the
committee of the whole upon the bill entitled "An act to
entitled 'An act to incorporate the 'Fire Proof Warehous-
'"

gent put the question whether the Senate would agree to said
ke from the table, and it was decided in the affirmative.

gent then put the question whether the Senate would agree
t of the committee of the whole, and it was decided in the

That said bill be engrossed for a third reading.

e then resolved itself into a committee of the whole, and
the consideration of general orders, being the bills entitled

o enable the supervisors of the county of Greene to issue
l county to refund taxes illegally collected."

o amend an act entitled 'An act to incorporate the Ladies'
ociety of the Methodist Episcopal Church in the city of New
l June 19, 1851."

provide for draining and ditching wet lands in the town and
shen, New York, and to widen, alter and deepen the stream
e known as the Rio Grande, and the tributaries thereof."

time spent therein, the President resumed the chair, and
, from said committee, reported that they have made some
o the first named bill, and amended the title to as to read:
ble the supervisors of the counties of Greene and Ulster to
said counties to refund taxes illegally collected," and as

amended recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Beach moved to recommit said bill to the committee on the judiciary, and that it retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Campbell, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, and after some time spent therein, the hour of 2 o'clock having arrived, the Senate went into executive session.

After some time spent therein the doors were opened, and on motion of Mr. Mattoon, the Senate adjourned.

THURSDAY, MARCH 25, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Sprecher.

The journal of yesterday was read and approved.

The President appointed the following select committee of nine, pursuant to resolution of the Senate:

Messrs. Folger, Tweed, Bradley, Pierce, Beach, Parker, Kennedy, Chapman and Morris.

Mr. Thayer presented a remonstrance against the annexation of Lansingburgh to Troy, by 310 taxable inhabitants of Troy, which was read and referred to the committee on municipal affairs.

Mr. Pierce presented a remonstrance of W. H. Bolton and others, against the passage of an act to authorize the sale of lands in Prospect park, east of Flatbush avenue, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Thayer presented a petition of citizens of West Turin, for amendment to Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Also a petition of citizens of Fort Edward, in favor of the passage of Senator Stanford's bill to repeal act for keeping canals in repair by contract, which was read and laid on the table.

Mr. Pierce presented a protest of the New York Associated Press, against Assembly bill in relation to collection of ship news, which was read and referred to the committee on commerce and navigation.

Mr. Edwards presented a remonstrance of inhabitants of the town of Flushing, against any amendments to village charter, which was read and referred to the committee on municipal affairs.

Mr. Hale presented a petition of inhabitants of Westport, county of Essex, for passage of Senator O'Donnell's proposed amendment to Excise

as read and referred to the committee on internal affairs of counties.

r presented two petitions of citizens of Troy, in favor of a right bill, which were read and referred to the committee on

presented a petition of citizens of Coeymans, in relation to and Westerlo Turnpike Company, which was read and referred to the committee on roads and bridges.

man presented a petition of L. H. Edwards, for reference of the Canal Board, which was read and referred to the committee on canals.

presented sixteen remonstrances, against passage of act for Leuben county from Addison and other towns in the proposed which were read and referred to the committee on the erection of towns and counties.

presented a petition of gas consumers in the city of New Law creating the office of gas inspector for said city, which was referred to the committee on municipal affairs.

dy presented a petition of citizens of Salina, for an amendment law, which was read and referred to the committee on laws of towns and counties.

ls presented a petition of citizens of Buffalo, for passage of Main and Hamburg street canal with water, which was referred to the committee on municipal affairs.

y presented a remonstrance of citizens of Kings county, in provisions of the act proposed to amend the act passed 18, to appoint commissioners of fisheries, which was read and referred to the committee on the judiciary.

om the committee on claims, to which was referred the bill act for the relief of Joseph A. Scoville and Lewis H. Eaton," reported adversely thereto.

dy moved to lay the question agreeing to the report of the committee on the table.

ent put the question whether the Senate would agree to said bill on the table, and it was decided in the affirmative.

om the committee on claims, to which was referred the petition of McClary for relief, reported adversely thereto, and in favor of the following resolution:

That the prayer of the petitioner be denied.

ent put the question whether the Senate would agree to said bill and it was decided in the affirmative.

om the committee on claims, to which was referred the bill "An act relating to the claim of Henry J. Seymour for canal," reported in favor of the passage of the same with amendments, and was committed to the committee of the whole.

, from a majority of the committee on the judiciary, to which the bill entitled "An act to provide for the safe custody and the criminals," reported in favor of the passage of the same bill, and said bill was committed to the committee of the

, from a majority of the committee on the judiciary, to which the bill entitled "An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the corporations for manufacturing, mining, mechanical or chem-

ical purposes,' passed Feb. 17, 1848, and the acts amending or extending the same," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act for the protection of persons and companies gathering ice for merchandise," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Christina H. Surbeck the interest of the people of the State of New York in certain real estate in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Genet, from a majority of the committee on railroads, to which was referred the bill entitled "An act to prohibit the use of steam on the Second avenue, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Eliza W. Dunlap," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the bill entitled "An act to restore the channel of the Oswego river at the city of Oswego, to its capacity before the enlargement of the Oswego canal," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Brooklyn Young Men's Christian Association," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to facilitate the service of civil process upon non-resident stockholders and the personal representatives of deceased stockholders of insolvent corporations and joint stock companies, in actions now authorized by law," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend 'An act to secure the payment of mechanics, laborers and persons furnishing materials towards the erection, altering and repairing of buildings in the city of New York,' passed May 5, 1863," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Presbyterian Home for Aged Women in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to increase the powers of the 'Sisterhood of Saint Mary,'" reported in favor of the passage of the

amendments, and said bill was committed to the committee of

from the committee on charitable and religious societies, referred the Assembly bill entitled "An act to change the Manhattan Mutual Benefit Company of the city of New York, the number, and enlarge the powers of their trustees, and to the government and business of said corporation," reported the passage of the same with amendments, and said bill was the committee of the whole.

etten, from the committee on internal affairs of towns and which was referred the petition of citizens of the town of Queens county, for a bill to enable the electors to vote by district officers, reported by bill entitled "An act to enable the town of Newtown, county of Queens, to vote in districts officers," which was read the first time, and by unanimous consent read the second time, and committed to the committee of

etten, from the committee on internal affairs of towns and which was referred the bill entitled "An act to incorporate the Waterworks Company in the county of Westchester," in favor of the passage of the same, and said bill was committed to the committee of the whole.

etten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act to enable the electors of the town of Bethlehem, Albany county, to vote by election districts," reported in favor of the passage and said bill was committed to the committee of the whole. etten, from the committee on internal affairs of towns and which was referred the bill entitled "An act to incorporate the Waterworks Company," reported in favor of the passage, and said bill was committed to the committee of the

n, from the committee on Indian affairs, to which was referred the bill entitled "An act to confer citizenship upon such native born of this State as may desire to become citizens," reported in favor of the same, and said bill was committed to the committee

n, from the committee on Indian affairs, to which was referred the bill entitled "An act to incorporate the Onondaga Agricultural Society of the Onondaga Indians in this State," reported in favor of the same, and said bill was committed to the committee of

ell, from the committee on agriculture, to which was referred the bill entitled "An act to amend 'An act to prevent animals from running at large in the public highways, passed April 23, 1862, and to amend 'An act to bar to actions arising under said act,' passed May 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

ell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare," reported in favor of the passage with amendments, and said bill was committed to the committee of the whole.

from the committee on roads and bridges, to which was

referred the bill entitled "An act to incorporate the Middletown and Wurtsboro Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road and to regulate tolls thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the straightening of the Central avenue of Westchester county, near Central Bridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Schenectady Waterworks Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sales by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7, 1859; and for the purpose of further providing for the better collection of county taxes in said city," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of

to Main street," reported in favor of the passage of the amendments, and said bill was committed to the committee of

ry, from the committee on municipal affairs, to which was Assembly bill entitled "An act to amend 'An act incorporating the village of Sing Sing, in the county of Westchester, passed April 18, 1859, and also the act supplementary thereto and hereof,' passed March 3, 1866," reported in favor of the same with amendments, and said bill was committed to of the whole.

from a majority of the committee on the judiciary, to which the bill entitled "An act relating to the procurement of other like offenses," reported in favor of the passage of the amendments, and said bill was committed to the committee of

, from the committee on public health and medical societies to which was recommitted the bill entitled "An act in relation to the Homoeopathic Medical College of the State of New York, in city," reported in favor of the passage of the same, with and said bill was committed to the committee of the whole. er, from the committee on municipal affairs, to which was bill entitled "An act in relation to the opening, widening and streets, avenues and public places in the city of New York," favor of the passage of the same with amendments, and said mitted to the committee of the whole.

bly sent for concurrence the bills entitled as follows:

to provide a charter for the village of Oneida," which was time, and by unanimous consent was also read the second referred to the committee on internal affairs of towns and

amend an act entitled 'An act to provide for the construction of a bridge over the Cayuga and Seneca canal in the village of ' passed May 6, 1868, and to secure the north bank of said a was read the first time, and by unanimous consent was second time, and referred to the committee on canals.

to amend chapter 809 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act to provide for the enrollment of the organization and discipline of the National Guards of the y York, and for the public defense,' passed April 23, 1862," read the first time, and by unanimous consent was also read time, and referred to the committee on militia and public

for the removal of the wall benches in the Erie canal in the , and for the construction of a vertical wall," which was time, and by unanimous consent was also read the second referred to the committee on canals.

providing for additional compensation to deputies, clerks and the various departments of the State government," which first time, and by unanimous consent was also read the second referred to the committee on finance.

to incorporate the Trustees of the Wadsworth Library," read the first time, and by unanimous consent was also read me, and referred to the committee on literature.

referred the bill entitled "An act to incorporate the Middletown and Wurtsboro Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road and to regulate tolls thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the straightening of the Central avenue of Westchester county, near Central Bridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Schenectady Waterworks Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sales by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7, 1859; and for the purpose of further providing for the better collection of county taxes in said city," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of

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wley, from the committee on municipal affairs, to which was e Assembly bill entitled "An act to amend 'An act incorpor- village of Sing Sing, in the county of Westchester, passed 53, and the act supplementary thereto and amendatory there- April 18, 1859, and also the act supplementary thereto and y thereof,' passed March 3, 1866," reported in favor of the the same with amendments, and said bill was committed to tee of the whole.

, from a majority of the committee on the judiciary, to which d the bill entitled "An act relating to the procurement of d other like offenses," reported in favor of the passage of the amendments, and said bill was committed to the committee of

er, from the committee on public health and medical societies s, to which was recommitted the bill entitled "An act in rela- Homœopathic Medical College of the State of New York, in city," reported in favor of the passage of the same, with s, and said bill was committed to the committee of the whole. mer, from the committee on municipal affairs, to which was e bill entitled "An act in relation to the opening, widening and f streets, avenues and public places in the city of New York," r favor of the passage of the same with amendments, and said mitted to the committee of the whole.

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providing for additional compensation to deputies, clerks and n the various departments of the State government," which e first time, and by unanimous consent was also read the sec- d referred to the committee on finance.

to incorporate the Trustees of the Wadsworth Library," ead the first time, and by unanimous consent was also read ime, and referred to the committee on literature.

"An act in relation to statistics of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

"An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany, on or about the 16th day of June, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the New York Amusement Company in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to close a portion of old Bushwick road or avenue, between Scholes street and Meserole street, and between Boerum street and Mc Kibben street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Ship Owners' Association of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize mechanics, journeymen, tradesmen and laborers, to form societies and associations for their mutual aid, benefit and protection," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the improvement of Grasse river, and of the water-power thereon, and to check freshets therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend section 22 of chapter 6, article 1, title 2 of 2d part of the Revised Statutes, in respect to administrators with the will annexed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Commissioners of Public Charities and Correction, of the city of New York, to establish an industrial school in Hart's Island, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to encourage the organization of town agricultural societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to open and construct a road from Stony Creek, in the county of Warren, to Wellstown, in the county of Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Le Roy,' passed April 6, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

relating to the Jordan academy and free school district No. 4 of Elbridge, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

in confirmation of the vote of the electors of the town of Queens county, in relation to the public cemetery, and the grounds of said cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

to raise money to build a bridge in the town of Carroll, Chautauque county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

for the relief of the Chamberlain Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

to lay out, open and grade an avenue in the towns of Flatbush and Utrecht, in continuation of Franklin avenue of Flatbush," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

making appropriations for the support of Government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

to authorize the commissioners of highways of the town of Albany county, to lay out a highway two rods in width in the town of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to provide for the laying out and opening of a highway in the town of Huntington, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to redistrict the county of Albany into three school districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

to incorporate the New York State Poultry Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

to incorporate the 'Shokan Hall Association' of Shokan, in the town of Olive, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

for the construction of an avenue in the town of Gravesend, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to relinquish the title of the State to certain lands in the town of Chautauque county, to Mary Ann Nundy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

to incorporate the St. John's Benevolent Association, of the town of Dunkirk, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to incorporate the village of Cortland, in the town of Cortlandville, county of Cortland, and to repeal its present charter,' passed April 28, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Ladies' Washington Association of Hempstead, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Wayside Industrial Home in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Ellenville Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to authorize a tax to be levied in the town of Constable to build or purchase a town house,' passed April 21, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for grading and improving Centre street, and making a sidewalk therein and lighting the same, in the village of Peekskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the paving of Bushwick avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the 'German Cigarren-Arbeiter-Verein,' in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Oriental Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Working Women's National Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to facilitate the construction of the Cayuga Lake railroad, and to authorize the town of Springport, Cayuga county, to subscribe to the capital stock thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for laying out, opening and grading certain public streets in the village of Flushing, Queens county," which was read the

me, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

An act to incorporate the 'German Saengerbund' of the city of Buffalo, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and benevolent societies.

An act in addition to an act entitled 'An act to amend the charter of the city of Newburgh,' passed February 27, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

An act to incorporate the Port Jervis Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's in the said town of Lumberland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled "An act to authorize the towns of Medina, Champion, Rutland, Le Ray, Pamelaia, Watertown, Brown and Hounsfield, in Jefferson county, to take stock and issue bonds for in aid of the Carthage, Watertown and Sackett's Harbor Railroad Company," with a message that they had passed the same with the following amendment:

Section 1, line 42, engrossed bill, after word "acknowledged" insert the words "and in case of proof the certificate shall state the subscriber in the presence of the witness that he knew the contents of the instrument so subscribed by him."

The President put the question whether the Senate would agree to the amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Nicks	Parker	
Edwards	Hubbard	Norton	Pierce	
Genet	Morris	O'Donnell	Tweed	
Graham	Nichols	Palmer	Williams	20

Whereupon, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Bowling Green Savings Bank of the city of New York,' passed April 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act amendatory of the act entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848, and the acts amendatory thereof, and supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the

county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a workhouse for said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Warehouse and Manufacturing Company, Long Island,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to incorporate the Hillsdale Union Hall Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Clyde," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to lay out, open and improve a public highway or avenue from Prospect park, in the city of Brooklyn, to Fort Hamilton, and also to the Bay of New York at Bay Ridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act authorizing Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county, and to perform the duties assigned to the clerk of said county, under provisions of chapter 407 of Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof relating to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act in relation to appeals by receivers, stockholders

s of corporations," which was read the first time, and by consent was also read the second time, and referred to the judiciary.

entitled "An act to amend an act entitled 'An act to incorporate the Union Aid Society of the Methodist Episcopal Church of New York,' passed June 19, 1851," was read a third time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, and all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hale	Nichols	Parker	
Folger	Hubbard	Nicks	Pierce	
Genet	Kennedy	Norton	Van Petten	
Graham	Mattoon	O'Donnell		19

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

The President offered the following resolution :

That the bill entitled "An act to provide for sites for armories for the Seventh and Seventy-first regiments of the National Guard of New York," be recommitted to the committee on municipal

The President put the question whether the Senate would agree to said bill, and it was decided in the negative.

The President moved that the committee of the whole be discharged from consideration of the bill entitled "An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, New York," and that the same be recommitted to the committee on bridges.

The President put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

O'Donnell moved to take from the table the resolution offered by the President :

That the Senate did on the 17th day of February, 1869, pass a resolution of which the following is a copy :

Resolved, That the proper officers of every steam railroad in the State of New York report to the Senate by the fifth day of March next, the rates for transportation of freight and passengers charged during the year for each month of the year, from and to the various stations, and the tariff of prices charged from and to the principal cities of the Western States."

Whereas, No reply has been made by the New York Central or the Erie to said resolution ; therefore,

That a writ of attachment issue to the Sergeant-at-Arms of the Senate commanding him to seize and bring before the Senate D. Torrance, President of the New York Central railroad, and Jay Gould, Vice-President of the Erie railroad.

The President put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

O'Donnell moved to amend the resolution by striking out all after the word "Resolved," and inserting in lieu thereof the following :

That the process of the Senate be issued by the Clerk and personally by the Sergeant-at-Arms of the Senate upon D. Torrance, Vice-President of the Central railroad, requiring him to appear before the bar

of the Senate on Friday the 26th day of March, at 11 o'clock A. M., to answer the inquiries of this resolution."

Mr. Genet moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cauldwell	Genet	Hale	Morris	
Bradley	Edwards	Graham	Hubbard	Pierce	10

FOR THE NEGATIVE.

Campbell	Kennedy	Nicks	Palmer	Thayer	
Creamer	Mattoon	Norton	Parker	Tweed	
Crowley	Nichols	O'Donnell	Stanford	Van Petten	16
Folger					

Mr. Bradley moved to amend said resolution by striking out "Friday 26th instant, at 11 o'clock A. M.," and inserting "forthwith."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hale moved to amend said resolution by striking out "forthwith" and inserting "Monday the 29th instant," and also to add to said resolution as follows: "unless he should sooner report to the Senate the required information."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Parker	Thayer	
Campbell	Genet	Murphy	Pierce	Tweed	
Cauldwell	Hale	Palmer			13

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Nichols	O'Donnell	
Bradley	Folger	Mattoon	Nicks	Stanford	
Creamer	Graham	Morris	Norton	Van Petten	15

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Morris	Norton	Parker	
Campbell	Kennedy	Nichols	O'Donnell	Thayer	
Crowley	Mattoon	Nicks	Palmer	Van Petten	15

FOR THE NEGATIVE.

Beach	Creamer	Graham	Hubbard	Stanford	
Bradley	Edwards	Hale	Pierce	Tweed	
Cauldwell	Genet				12

Mr. Mattoon offered the following resolution :

Resolved, That the Senate hold a session this evening at 7½ o'clock, for consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley moved to take from the table the question agreeing to the report of the committee on municipal affairs adverse to the Assembly bill entitled "An act to amend section 3 of the act entitled 'An act to amend

incorporation of villages,' passed December 7, 1847, passed

ent put the question whether the Senate would agree to said
e from the table, and it was decided in the affirmative.

y moved to recommit said bill to the committee on municipi-

ent put the question whether the Senate would agree to said
ommit, and it was decided in the affirmative.

, from the committee on the judiciary, to which was recom-
ill entitled "An act to enable the supervisors of the county
issue bonds of said county to refund taxes illegally collected,"
o report complete, reported the same complete, which report
o and said bill ordered engrossed for a third reading.

, from the committee on charitable and religious societies,
referred the bill entitled "An act to incorporate the Knights
of the city of New York," reported in favor of the passage
and said bill was committed to the committee of the whole.

from the committee on engrossed bills, reported as cor-
sed, the bill entitled as follows:

enable the supervisors of the counties of Greene and Ulster
s of said counties to refund taxes illegally collected."

o amend an act entitled 'An act to incorporate the Ladies'
ociety of the Methodist Episcopal Church in the city of New
June 19, 1851."

amend an act entitled 'An act to incorporate the 'Fire Proof
Company.'"

r, from the committee on banks, to which was referred the
An act to amend the charter of the Guardian Savings Insti-
tute of New York," reported in favor of the passage of the
amendments, and said bill was committed to the committee of

dy moved to take from the table the motion to reconsider
which the committee of the whole were discharged from the
of the Assembly bill entitled "An act to provide for the
the bridge over the Oswego river between the towns of
Onondaga county, and Schroepfel, in the county of Oswego,"
ordered returned to the Assembly.

ent put the question whether the Senate would agree to said
e from the table, and it was decided in the affirmative.

ent then put the question whether the Senate would agree
n to reconsider, and it was decided in the affirmative.

dy moved that said bill be returned to the Assembly, in
with their resolution.

ent put the question whether the Senate would agree to said
it was decided in the affirmative.

ous consent, the bill entitled "An act to amend the act enti-
to incorporate the 'Fire Proof Warehousing Company,'"
third time.

ent put the question whether the Senate would agree to
sage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Pierce
Bradley	Edwards	Hubbard	Murphy	Stanford
Campbell	Genet	Kennedy	Parker	Thayer
Cauldwell	Graham	Mattoon		

18

FOR THE NEGATIVE.

Crowley	Folger	Nichols	3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows :

Assembly, "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

"An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the 'Passenger Transit Company.'"

"An act to constitute the town of Southampton and that part of the town of East Hampton, lying within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district, under the name of 'The Sag Harbor and Southampton Railroad District,' and to authorize the said district to issue bonds for the purpose of aiding the Long Island Railroad Company in constructing a branch railroad through said town of Southampton."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Bradley, from the same committee, reported that they have substituted for the last named bill the Assembly bill of same title, and recommend its passage, which report was agreed to and said bill ordered to a third reading.

A message from His Excellency the Governor was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, *March 25, 1869.* }

To the Senate : I return without my signature a bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany."

There is no necessity for this special bill. The provisions of the general law of the State for the incorporation of benevolent and charitable societies (see chapter 319 of the Laws of 1848, and amendments thereto,) are ample and sufficient for the purpose contemplated.

The originators of this bill, I am informed, were under an impression that by one clause in the general law, secret societies were excluded from its operation; but it will be seen, by reference to an amendment made in 1861, (see chapter 239, Laws of 1861,) that this clause has been stricken from the law.

er of "Temples of Honor" is increasing in this State, and al bills are already before the Legislature for their incorpo- erefore promptly return this one in order to call attention to aws under which these societies can be readily organized.

JOHN T. HOFFMAN.

ent put the question "Shall this bill become a law notwith- objections of the Governor?" and it was decided in the o-thirds of all the Senators present not voting in favor

FOR THE AFFIRMATIVE.

1

FOR THE NEGATIVE.

Folger	Kennedy	Nicks	Thayer
Genet	Mattoon	Palmer	Tweed
Graham	Morris	Parker	Van Petten
Hale	Murphy	Pierce	Williams
Hubbard	Nichols	Stanford	

24

e again resolved itself into a committee of the whole, and the consideration of general orders, being the bill entitled

"An act to authorize the corporation of the village of Hamil- onds and take stock in the Utica, Clinton and Binghamton to become stockholders therein.

e time spent therein the President resumed the chair, and m said committee, reported in favor of the passage of said ndments, which report was agreed to and said bill ordered ding.

of Mr. Folger, the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

e again met, resolved itself into a committee of the whole, ed to the consideration of general orders, being the bills ollows:

authorize the Avenue C Railroad Company, of the city of o extend their railroad tracks through certain streets and e city of New York."

amend an act entitled 'An act to amend an act entitled 'An rize the town of Dunkirk to construct a gravel, stone or road from Lake Erie, in the village of Dunkirk, to the he town of Dunkirk,' passed April 13, 1864."

relation to schools." e time spent therein the President resumed the chair, and from said committee, reported in favor of the passage of named bills without amendment, which report was agreed hills ordered engrossed for a third reading.

ls, from the same committee, reported progress on the last nd asked and obtained leave to sit again.

e again resolved itself into a committee of the whole, and the consideration of general orders, being the Assembly as follows:

"An act making appropriation for the immediate completion and furnishing of portions of the Willard Asylum for the Insane, located near Ovid, New York."

"An act to provide for the construction of vertical wood docking along the berme bank of the Erie canal in the village of Rome."

"An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

After some time spent therein the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Edwards, from the same committee, reported in favor of the passage of the second named bill without amendment.

Mr. Williams renewed the amendment offered in committee of the whole, as follows:

In section 2, strike out of lines 2 and 3, the words, "to let the contract or contracts for doing the work specified in the first section of this act, or."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Folger	Pierce	Tweed	Williams	4
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FOR THE NEGATIVE.

Banks	Edwards	Mattoon	Nicks	Parker
Beach	Graham	Morris	Norton	Stanford
Bradley	Hale	Murphy	O'Donnell	Thayer
Campbell	Hubbard	Nichols	Palmer	Van Petten
Creamer	Kennedy			22

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Edwards, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Creamer moved to recommit said bill to the committee on municipal affairs, to retain its place on general orders.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Genet, from the committee on railroads, to which was referred the bill entitled "An act to amend an act to amend chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railway Companies,'" reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April

ported in favor of the passage of the same with amendments, was committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the bill entitled "An act to authorize the supervisors of Kings county to include in the next tax levy the thousand dollars to reimburse the amount borrowed for the poor," reported in favor of the passage of the same, and committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act to be entitled 'An act to authorize a tax to be levied in the town to build or purchase a town house,' passed April 21, 1846," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act in connection with the vote of the electors of the town of Hempstead, Queens county, to the public cemetery, and extending the grounds of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act to amend the Dale Cemetery Association in the town of Ossining, in the Westchester county, to invest their surplus funds," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act to amend the Shokan Hall Association of Shokan, in the town of Olive, Dutchess county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Petten, from the committee on internal affairs of towns and which was referred the Assembly bill entitled "An act to amend the charter for the village of Oneida," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The assembly again resolved itself into a committee of the whole, and on the consideration of general orders, being the bills entitled

"An act to amend chapter 334 of Laws of 1866, entitled 'An act to amend the Troy and Albion Horse Railroad Company.'"

Further to amend an act entitled 'An act in relation to sewerage in the city of Brooklyn,' passed April 15, 1857, passed April 5, 1861."

To authorize the town of Saratoga, in the county of Saratoga, to purchase and take stock in any company now organized, or that hereafter organized within five years after the passage of this act, for the purpose of building a railroad from Mechanicsville, Saratoga county, to connect with the Rensselaer and Saratoga railroad in the town of Saratoga county, or in the town of Fort Edward, Washing-

ton. At the time spent therein the President resumed the chair, and the assembly, from said committee, reported in favor of the passage of the

first named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the same committee, reported in favor of the passage of the two last named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the removal of the dead from the Congregational Church burying ground, in the village of Middletown, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to enable John Augustus Hill, an alien, to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Edwards and by unanimous consent the rules were suspended and the committee of the whole discharged from the further consideration of the Assembly bill entitled "An act in confirmation of the vote of the electors of the town of Hempstead, Queens county, in relation to the public cemetery, and extending the grounds of said cemetery," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Graham	Mattoon	Nicks	Stanford
Bradley	Hale	Morris	Palmer	Thayer
Campbell	Hubbard	Murphy	Parker	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger moved that the Senate now adjourn.

The President put the question whether the Senate would agree to the motion; and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Nichols	Palmer	Thayer
Beach	Kennedy	Nicks	Parker	Van Petten
Campbell	Mattoon	O'Donnell	Stanford	Williams

16

FOR THE NEGATIVE.

Bradley	Graham	Morris	Norton	Tweed
Edwards	Hubbard	Murphy	Pierce	

9

Whereupon the Senate adjourned.

FRIDAY, MARCH 26, 1869.

ate met pursuant to adjournment.

Rev. Mr. Russell.

al of yesterday was read and approved.

edy presented a petition of citizens of Elbridge, for a law
eight on railroads, which was read and referred to the com-
railroads.

e presented a remonstrance of I. W. Kelsey and forty other,
inst the passage of an act to authorize the sale of Prospect
east of Flatbush avenue, which was read and referred to the
n municipal affairs.

hrey presented a petition of citizens of Warsaw, for the pas-
saw Waterworks Company, which was read and referred to
ee on municipal affairs.

bly returned the bill entitled as follows:

o authorize the towns of Wilna, Champion, Rutland, Le Ray,
Watertown, Brownville and Hounsfield, in Jefferson county, to
and issue bonds therefor in aid of the Carthage, Watertown
s Harbor Railroad Company."

That the Clerk deliver said bill to the Governor.

ley, from the committee on municipal affairs, to which was
bill entitled "An act in relation to the Jamaica and Brook-
d," reported adversely thereto.

e moved to lay the question agreeing to the report upon the

dent put the question whether the Senate would agree to said
y on the table, and it was decided in the affirmative.

ley, from the committee on municipal affairs, to which was

bill entitled "An act to amend an act entitled 'An act to
d amend the charter of the village of Deposit,' passed March
the acts amendatory thereof," reported that they have made

ments thereto, and amended the title so as to read as follows:

amend an act entitled 'An act to establish and amend the
he village of Deposit,' passed March 2, 1858, and the acts
thereof," and as amended recommend its passage; said bill

ted to the committee of the whole.

ley, from the committee on municipal affairs, to which was

bill entitled "An act to amend chapter of the Laws of

d 'An act to alter the map or plan of certain portions of the

York and for the laying out and improvement of the same,"

at they have made some amendments thereto, and amended

as to read as follows: "An act to establish a public place in

New York," and as amended recommend its passage; said

mitted to the committee of the whole.

ley, from the committee on municipal affairs, to which was

bill entitled "An act to authorize the revision of the charter

Buffalo, and to appoint commissioners to revise the same,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the charter of the village of Le Roy,' passed April 6, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cortland, in the town of Cortlandville, county of Cortland, and to repeal its present charter,' passed April 28, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Edwards, from the committee on agriculture, to which was referred the bill entitled "An act to amend the charter of the Prospect Fair Ground Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act entitled an act to amend section 3 of the act entitled 'An act to amend an act for the incorporation of villages,' passed December 7, 1847, passed July 11, 1851," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act in relation to the village of Phelps, Ontario county, regulating sales by auction within said village," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in addition to the act entitled 'An act to amend the charter of the city of Newburgh,' passed February 27, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1846, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend section 37 of title 1st, chapter 5th, part 3d of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act relative to the Albany railway,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred

bill entitled "An act to authorize certain towns in Oneida to issue bonds and take stock in any company now organized or hereafter organized within two years after the passage of the purpose of building a railroad from Clinton, Oneida and Rome, in said county," reported in favor of the passage of the amendments, and said bill was committed to the committee on

insurances, from the committee on insurance companies, to which the bill entitled "An act to amend the charter of the Asbury Insurance Company," reported in favor of the passage of the same, was committed to the committee of the whole.

rd, from the committee on engrossed bills, reported as corrected, the bills entitled as follows:

provide for draining and ditching wet lands in the town of Gothen, N. Y., and to widen, alter and deepen the stream known as the Rio Grande, and the tributaries thereof."

facilitate the conveyance of passengers and their baggage of New York and Brooklyn, and to incorporate the 'Passenger Company'"

authorize the Avenue C Railroad Company, of the city of New York, to extend their railroad tracks through certain streets and alleys in the city of New York."

whether to amend an act entitled 'An act in relation to sewerage in the city of Brooklyn,' passed April 15, 1857, passed April 5, 1861."

amend an act entitled 'An act to amend an act entitled 'An act to authorize the town of Dunkirk to construct a gravel, stone or gravel road from Lake Erie, in the village of Dunkirk, to the town of Dunkirk,' passed April 13, 1864.'"

directly re-engrossed:

authorize the towns of Wilna, Champion, Rutland, Le Ray, Waverletown, Brownville and Hounsfield, in Jefferson county, to issue bonds therefor in aid of the Carthage, Watertown and Harbor Railroad Company."

from the select committee of nine, reported the following amendments complete:

amend an act entitled 'An act to incorporate the village of Queens, in Queens county,' passed April 5, 1867."

extend the time for the collection of money by installments of the free school district No. 1, of the village of Catskill," amend the act as to read:

authorizing Catskill union free school district No. 1, of the village of Catskill, to borrow money to erect and improve school buildings."

"An act to confirm the title of Samuel E. Simonds to certain lots in the city of Brooklyn."

"An act to incorporate Tiger Hose Company No. 1, in the city of New York."

entitled an act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 5, 1866."

present put the question whether the Senate would agree to the amendments, and it was decided in the affirmative.

That said bills be engrossed for a third reading.

Mr. Mattoon offered the following resolution:

Resolved, That each Senator hand to the Clerk the title of one bill to be placed on a preferred calendar, which preferred calendar shall have preference over all other bills on the general orders; said bills to be considered in the order in which the names of Senators stand on the roll call of the Senate.

Mr. Williams moved to amend said resolution by striking out all after the word "order" and inserting "in which said bills stand on general orders."

Mr. Bradley moved to amend by striking out "stand on the roll call of the Senate," and inserting "the order in which Senators sit around the circle."

The President put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Williams, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Palmer	Stanford	Tweed	
Edwards	Murphy	Parker	Thayer	Williams	
Graham	O'Donnell	Pierce			13

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Kennedy	Norton	
Beach	Crowley	Humphrey	Mattoon	Van Petten	
Bradley	Folger				12

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Norton	Pierce	Tweed	
Campbell	Mattoon	Palmer	Stanford	Van Petten	
Edwards	Murphy	Parker	Thayer	Williams	
Hale					16

FOR THE NEGATIVE.

Bradley	Crowley	Folger	O'Donnell		3
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Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan police district of the State of New York,'" reported adversely thereto.

Mr. Tweed dissenting.

Mr. Creamer moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nichols	Pierce	
Beach	Edwards	Mattoon	Norton	Tweed	
Bradley	Ganet	Murphy			13

FOR THE NEGATIVE.

Campbell	Hale	O'Donnell	Stanford	Van Petten	
Crowley	Humphrey	Palmer	Thayer	Williams	
Folger	Kennedy	Parker			13

a tie, the President voted in the affirmative, and said bill to the committee of the whole.

y, from the committee on municipal affairs, to which was assembly bill entitled "An act to reorganize the board of average commissioners of the city of Brooklyn, and to providing and repairing and cleaning the streets of said city," reported in favor of the passage of the same, and said bill to the committee of the whole.

moved that said bill be printed.

nt put the question whether the Senate would agree to said was decided in the affirmative.

y, from the committee on municipal affairs, to which was assembly bill entitled "An act to provide for the purchase engine in the village of Palmyra, and for the more effectual said village against fire," reported in favor of the passage and said bill was committed to the committee of the whole.

from the committee on charitable and religious societies, referred the bill entitled "An act to incorporate the Hills-ill Company," reported in favor of the passage of the same, as committed to the committee of the whole.

from the committee on banks, to which was referred the An act to incorporate 'The Central Savings Bank' of the 'ork," reported in favor of the passage of the same, with and said bill was committed to the committee of the whole.

from the committee on banks, to which was referred the entitled "An act to incorporate the 'Eleventh Ward Sav-the city of New York," reported in favor of the passage of amendments, and said bill was committed to the committee

us consent, Mr. Williams moved that the Senate go into ion at 1½ o'clock, for confirmation of notaries public only.

nt put the question whether the Senate would agree to said was decided in the affirmative.

ly returned the bill entitled "An act to provide for the f the navigation of the Racket river, and of the hydraulic and to check freshets therein," with a message that they same with the following amendments:

nes 4 and 5, strike out "Silas J. Farnsworth" and insert tter."

ne 9, after "Piercefield" strike out "and north," and strike d 11, also "county" line 11; and insert "north of a direct from the foot of Racket or High Falls, in Franklin county, of Bog river, at the head of Big Tupper's Lake, in St. Law-

ne 9, after the word "shall" insert "also." Line 13, after insert the word "authorized."

ne 2, strike out words "the said." Line 3, strike out "com-ll" and insert "a board of appraisers consisting of Seth G.

B. Vanduzee and Geo. Robinson, of St. Lawrence county, ointed, who shall receive as compensation the sum of five h and every day necessarily spent in the discharge of their ount shall be audited and paid in the same manner as is d for the payment of the commissioners named in this act, nt of the refusal or inability of either of the above named

appraisers to serve, their successors shall be appointed in the same manner as is herein provided for the appointment of commissioners, but such successors shall be persons who are no wise interested in or owners of any water power on said river; it shall be the duty of said appraisers to."

Section 8, lines 1, 4, 5, 15, 16 and 20, strike out "commissioners" and insert "appraisers."

Section 9, lines 4 and 5, strike out "commissioners" and insert there after "appraisers shall make a detailed statement of all their proceedings and furnish a certified copy of their appraisal and assessment to the commissioners named in this act."

Section 14, line 13, after word "thereof" insert "but said gates shall not be opened or the water discharged from any reservoir hereby authorized to be constructed in excess of the usual and natural flow of the same after the first day of July of any year, without the unanimous direction or consent of said commissioners first had and obtained in writing."

Section 17, line 8, after word "works" add "nothing in this act contained shall apply to or affect the town of Norfolk, in said county of St. Lawrence, or any water power or property located in said town, nor shall the owners of water power upon any portion of said river be assessed for the construction of the reservoir by this act authorized, except the owners of such water power as is at the time of such construction or has previously been occupied and in use."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Murphy	Parker
Beach	Genet	Kennedy	Nichols	Stanford
Campbell	Graham	Mattoon	Norton	Thayer
Edwards	Hale	Morris	Palmer	Van Patten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Folger gave notice that he would, at an early day, ask leave to introduce a bill to punish the issuing, procuring or use of fraudulent or spurious certificates of naturalization.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to incorporate the Warsaw Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to incorporate the Margarettsville Retreat for the Insane," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act for the further extension of Prospect park, in the city of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

amend an act entitled 'An act to incorporate the Bowery', passed May 1, 1834."

that the Clerk deliver said bill to the Governor.

entitled "An act to amend an act entitled 'An act to secure the mechanics, laborers and persons furnishing materials towards altering and repairing of buildings in the city of New York,' 1868," was read a third time.

ent put the question whether the Senate would agree to the of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hale	Mattoon	Pierce
Folger	Hubbard	Morris	Stanford
Genet	Humphrey	Nichols	Tweed
Graham	Kennedy	Norton	Williams

21

FOR THE NEGATIVE.

1

that the Clerk deliver said bill to the Assembly, and request ences therein.

entitled "An act to enable the supervisors of the counties of Plaster to issue bonds of said counties to refund taxes illegally as read a third time.

ent put the question whether the Senate would agree to the of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Genet	Kennedy	Norton
Crowley	Hale	Morris	Pierce
Edwards	Hubbard	Murphy	Tweed
Folger	Humphrey	Nichols	

19

FOR THE NEGATIVE.

Thayer	Williams
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3

that the Clerk deliver said bill to the Assembly, and request ences therein.

entitled "An act to provide for draining and ditching wet town and village of Goshen, N. Y., and to widen, alter and stream in said village known as the Rio Grande, and the ereof," was read a third time.

ent put the question whether the Senate would agree to the of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Nichols	Pierce
Folger	Humphrey	Norton	Thayer
Genet	Kennedy	O'Donnell	Tweed
Graham	Morris	Parker	Williams
Hale	Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	O'Donnell	Tweed	
Bradley	Genet	Mattoon	Parker	Van Petten	
Campbell	Graham	Morris	Pierce	Williams	
Creamer	Hale	Nichols	Stanford		19

FOR THE NEGATIVE.

Crowley	Folger	Humphrey			3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the 'Passenger Transit Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Stanford	
Beach	Folger	Humphrey	Nichols	Thayer	
Campbell	Graham	Kennedy	Parker	Van Petten	
Creamer	Hale	Mattoon	Pierce	Williams	20

FOR THE NEGATIVE.

Bradley	Edwards	Genet	Norton	Tweed	5
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Mr. Norton moved to reconsider said vote, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to authorize the Avenue C Railroad Company, of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer	
Beach	Genet	Mattoon	Palmer	Tweed	
Bradley	Graham	Morris	Pierce	Van Petten	
Campbell	Hale	Nichols	Stanford	Williams	
Creamer	Hubbard				22

FOR THE NEGATIVE.

Folger Parker 3
 That the Clerk deliver said bill to the Assembly, and request
 yeas and nays thereon.

Assembly bill entitled "An act to constitute the town of South-
 Hampton, part of the town of East Hampton, lying within the cor-
 of the village of Sag Harbor, all in the county of Suffolk, a
 district, under the name of 'The Sag Harbor and Southampton
 district,' and to authorize the said district to issue bonds for
 aiding the Long Island Railroad Company in construct-
 ing a railroad through said town of Southampton," was read a

Second time. The President put the question whether the Senate would agree to the
 passage of said bill, and it was decided in the affirmative, a majority
 of the members elected to the Senate voting in favor thereof, and
 said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Hubbard	Morris	Thayer	
Edwards	Humphrey	Murphy	Van Petten	
Genet	Kennedy	Stanford	Williams	
Graham	Mattoon			18

FOR THE NEGATIVE.

Hale	Palmer	Parker		4
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That the Clerk return said resolution to the Assembly, with a
 message that the Senate have concurred in the passage of the
 amendment.

Assembly bill entitled "An act to authorize the corporation of the
 Clinton and Utica Railroad to issue bonds and take stock in the Utica, Clinton
 and Albany railroad, and to become stockholders therein," was read

Second time. The President put the question whether the Senate would agree to the
 passage of said bill, and it was decided in the affirmative, a majority
 of the members elected to the Senate voting in favor thereof, and
 said members being present, as follows:

FOR THE AFFIRMATIVE.

Hale	Morris	Pierce	Tweed	
Hubbard	Nichols	Stanford	Van Petten	
Humphrey	Parker	Thayer	Williams	
Mattoon				17

FOR THE NEGATIVE.

Bradley	Crowley	Folger	Palmer	5
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That the Clerk return said bill to the Assembly, with a mes-
 sage that the Senate have concurred in the passage of the same,
 yeas and nays.

Assembly bill entitled "An act to provide for the construction of
 a dock along the berme bank of the Erie canal in the
 town of Sag Harbor," was read a third time.

The President put the question whether the Senate would agree to the
 passage of said bill, and it was decided in the affirmative, a majority
 of the members elected to the Senate voting in favor thereof, and
 said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Stanford
Beach	Edwards	Kennedy	Palmer	Thayer
Bradley	Folger	Mattoon	Parker	Tweed
Campbell	Graham	Murphy	Pierce	Van Petten
Creamer	Hale	Nichols		

23

FOR THE NEGATIVE.

Humphrey	Morris			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the town of Dunkirk to construct a gravel, stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk,' passed April 30, 1864,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Beach	Folger	Humphrey	Nichols	Tweed
Bradley	Graham	Kennedy	Norton	Van Petten
Creamer	Hale	Mattoon	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making appropriation for the immediate completion and furnishing of portions of the Willard Asylum for the Insane, located near Ovid, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Norton	Thayer
Beach	Folger	Kennedy	Palmer	Tweed
Bradley	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morris	Pierce	Williams
Crowley	Hubbard	Nichols	Stanford	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 384 of Laws of 1866, entitled 'An act in relation to the Troy and Albia Horse Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Norton	Thayer
Beach	Hale	Mattoon	Palmer	Tweed

Hubbard	Morris	Parker	Van Petten
Humphrey	Nichols	Stanford	Williams

21

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

entitled "An act further to amend an act entitled 'An act in reference to sewerage and drainage in the city of Brooklyn,' passed April 16, 1859, passed April 5, 1861," was read a third

time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Nichols	Thayer
Folger	Kennedy	Parker	Tweed
Graham	Mattoon	Pierce	Van Petten
Hale	Morris	Stanford	Williams
Hubbard	Murphy		

23

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

The President moved to reconsider the vote upon the resolution adopted requiring the Sergeant-at-Arms to bring D. Torrance, Vice-President of the New York Central railroad, before the bar of the Senate. The President put the question whether the Senate would agree to said reconsideration, and it was decided in the affirmative.

The President then offered the following as an amendment thereto:

"That D. Torrance, Vice-President of the New York Central railroad, be made the report required by a resolution of this body of the 25th day of March, 1868;

and that all proceedings against D. Torrance in the nature of impeachment be discontinued.

The President put the question whether the Senate would agree to said amendment, and it was decided in the affirmative.

The President then offered the following resolution:

"That when the Senate adjourn to-day, it adjourn to meet on Monday next at 7½ o'clock, P. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Mattoon	Parker	Stanford
Graham	Murphy	Pierce	Tweed
Hubbard	Norton		

13

FOR THE NEGATIVE.

Hale	Morris	Palmer	Van Petten
Humphrey	Nichols	Thayer	Williams
Kennedy			

12

The President then offered the following resolution:

"That Senate bill No. 112, entitled 'An act for the more effective repression and punishment of bribery,' be made a special

order for Tuesday evening next, at 7½ o'clock P. M., and that a session be then held for the purpose of considering such special order.

Mr. Williams moved to amend said resolution by including also the Assembly bill entitled "An act to amend the charter of the city of Auburn."

Mr. Creamer moved to lay the resolution and amendment upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Norton	Tweed	5
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FOR THE NEGATIVE.

Crowley	Hale	Kennedy	Nichols	Thayer	
Edwards	Hubbard	Mattoon	Parker	Van Petten	
Folger	Humphrey	Morris	Stanford		14

The President then put the question whether the Senate would agree to said motion of Mr. Williams to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the members present voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Murphy	Parker	
Beach	Graham	Kennedy	Nichols	Stanford	
Crowley	Hale	Morris	Palmer	Thayer	
Edwards	Hubbard				17

FOR THE NEGATIVE.

Bradley	Mattoon	Pierce	Van Petten	Williams	
Creamer	Norton	Tweed			8

Mr. Pierce moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Stanford	
Bradley	Graham	Murphy	Pierce	Tweed	
Creamer					11

FOR THE NEGATIVE.

Crowley	Hubbard	Morris	Parker	Van Petten	
Folger	Humphrey	Nichols	Thayer	Williams	
Hale	Kennedy	Palmer			13

Mr. Folger offered the following resolution :

Resolved, That on and after Tuesday the 30th instant, the Senate will convene at 10 o'clock A. M., and take a recess at 2 o'clock P. M., and meet again at 4 o'clock P. M.

Mr. Kennedy moved to amend by striking out all after "2 o'clock P. M."

Mr. Palmer moved to amend said resolution by striking out all after "2 o'clock P. M.," and inserting "and meet again at 7½ o'clock P. M."

The President put the question whether the Senate would agree to said motion of Mr. Palmer, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Kennedy, and it was decided in the negative.

at then put the question whether the Senate would agree to offered by Mr. Folger, and it was decided in the affirma-

moved that the Senate now adjourn.
nt put the question whether the Senate would agree to said was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Norton	Stanford	
Graham	Murphy	Pierce	Tweed	11

FOR THE NEGATIVE.

Humphrey	Morris	Parker	Van Petten	
Kennedy	Nichols	Thayer	Williams	13
Mattoon	Palmer			

moved to reconsider the vote upon the resolution of Mr. when the Senate adjourn to-day, it be until Monday even-

question, Mr. Parker moved to adjourn.
nt put the question whether the Senate would agree to said was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Kennedy	Palmer	Stanford	
Graham	Murphy	Parker	Tweed	14
Hubbard	Norton	Pierce		

FOR THE NEGATIVE.

Hale	Morris	Thayer	Williams	
Humphrey	Nichols	Van Petten		9

the Senate adjourned.

NDAY, MARCH 29, 1869—7½ O'CLOCK, P. M.

te met pursuant to adjournment.

Rev. Dr. Sprague.

of Friday was read and approved.

presented fourteen petitions, for passage of bill to incorpo-
daigua Savings Bank, which were read and referred to the
the whole.

rey presented a petition of citizens of Attica, Wyoming
e passage of an act locating an insane asylum in Western
which was read and referred to the committee of the whole.
y presented two petitions of inhabitants of the village and
es, to extend the boundaries of said village, which were read
o the committee on municipal affairs.

s presented a remonstrance of Albert G. Stevens, against
g the common council to sprinkle streets in Buffalo, which
referred to the committee of the whole.

ell presented a petition of citizens of the State of New York,

for abolition of death penalty, which was read and referred to the committee on the judiciary.

Mr. Chapman presented three remonstrances of citizens of Tioga county, against bill giving additional supervisors to town of Owego by amending charter of Owego village, which were read and referred to the committee on municipal affairs.

Mr. Morgan presented a petition of citizens of Monroe county, for additional restriction upon the sale of ardent spirits, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the concurrent resolutions from the Assembly, in the words following :

Whereas, during the year 1864, while the persons and armies employed in rebellion were exerting every power and influence to accomplish the dismemberment of this country and the overthrow of our government and the requirement became urgent and imperative for additional forces to resist the attempted usurpation of the so called Confederate States, the Federal Government pledged itself by specific legislative enactment, and guaranteed to each volunteer mustered into the service of the United States a bounty of one hundred dollars for the term of one year, unless sooner discharged ; and whereas the fourteenth amendment to the Federal Constitution ordains expressly that the validity of the debts incurred for payment of pensions and bounties for services rendered in suppression of the rebellion shall not be questioned ; and whereas the Federal authorities have continued to withhold one-third of the amounts claimed by such volunteers, on the pretext that such volunteers were discharged before the expiration of the year, such volunteers having entered the service in good faith ; therefore,

Resolved, (if the Senate concur,) That in the judgment of the Legislature of the State of New York, good faith on the part of the Federal Government requires that provision should be made and legislation had from Congress for the full payment of proffered bounties to soldiers enlisting as aforesaid, who served for at least three-fourths of the time specified.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress are hereby requested to lay this subject before that body and use their best endeavors to procure the requisite legislation.

Resolved, (if the Senate concur,) That copies of the foregoing preamble and resolutions be forwarded to each of the Senators and Representatives from this State.

Reported in favor of the passage of the same.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Louisa R. Pettit and Job Green, Jr.," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of John Harvey," reported that they have made some amendments thereto, and amended the title so as to read "An act for the relief of John Harvey and the personal representatives of Wal-

deceased," and as amended recommend its passage; said bill referred to the committee of the whole.

phrey, from the committee on commerce and navigation, to referred the Assembly bill entitled "An act to provide for the of Grasse river and the water power thereon, and to check rein," reported in favor of the passage of the same, and said submitted to the committee of the whole.

man, from the committee on literature, to which was referred titled "An act to amend chapter 211 of the Laws of 1860, entitled to constitute school district No. 1, in the town of Salina, a," reported in favor of the passage of the same, and said bill referred to the committee of the whole.

gan, from the committee on engrossed bills, reported as corrected, the bills entitled as follows:

to authorize the town of Saratoga, in the county of Saratoga, ands and take stock in any company now organized, or that reafter organized within five years after the passage of this purpose of building a railroad from Mechanicsville, Saratoga connect with the Rensselaer and Saratoga railroad in the town Saratoga county, or in the town of Fort Edward, Washing-

to amend an act entitled 'An act to incorporate the village of nt, in Queens county,' passed April 5, 1867."

authorizing Catskill Union free school district No. 1, of the tskill, to borrow money to erect and improve school build-

entitled 'An act to amend an act entitled 'An act to incorporate Men's Christian Association of the city of New York,' passed 66.'"

correctly re-engrossed:

to provide for the improvement of the navigation of the Racket of the hydraulic power thereon, and to check freshets therein."

omous consent, Mr. Hale asked and obtained leave to introduce d "An act to produce uniformity in the presenting and pro-commercial paper, and to amend the acts relative thereto," read the first time, and by unanimous consent was also read time, and referred to the committee on the judiciary.

omous consent, Mr. Banks asked and obtained leave to introduce "An act to incorporate 'The Albany Board of Lum-' which was read the first time, and by unanimous consent ad the second time, and referred to the committee on the

omous consent, Mr. Hubbard asked and obtained leave to introduce "An act to amend an act entitled 'An act to incorporate of Cobleskill, Schoharie county,' passed April 3, 1868," read the first time, and by unanimous consent was also read time, and referred to the committee on municipal affairs.

omous consent, Mr. Chapman asked and obtained leave to introduce "An act to amend an act entitled 'An act to incorporate nghamton and Port Dickinson Railroad Company,' passed 3," which was read the first time, and by unanimous consent ad the second time, and referred to the committee on rail-

omous consent, Mr. Chapman asked and obtained leave to intro-

duces a bill entitled "An act to prevent frauds upon customers by short weights and measures, and adulterations in food," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act extending the boundaries of the village of Geddes, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to punish the issuing, procuring or use of fraudulent certificates of naturalization," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Beach	Folger	Humphrey	Nichols	Tweed
Bradley	Genet	Kennedy	O'Donnell	Van Petten
Campbell	Hale	Morgan	Parker	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing Catskill Union free school district No. 1, of the town of Catskill, to borrow money to erect and improve school buildings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Beach	Folger	Humphrey	Nichols	Tweed
Bradley	Genet	Kennedy	O'Donnell	Van Petten
Campbell	Hale	Morgan	Parker	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate Tiger Hose Company No. 1, of the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Thayer
Beach	Edwards	Humphrey	O'Donnell	Van Petten

Genet	Kennedy	Parker	Williams	
Hale	Morgan			18

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

entitled "An act entitled 'An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866," was read a third time.

ident put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, and all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Morris	Thayer	
Folger	Humphrey	Nichols	Tweed	
Genet	Kennedy	O'Donnell	Van Petten	
Hale	Morgan	Parker	Williams	20

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

bell offered the following resolution :

That there be printed of the report of the New York State Commissioners, 500 copies for the use of the Commissioners, and Senate.

That said resolutions be referred to the committee on public

ams moved to take from the table the motion to reconsider which the following entitled bills were recommitted to the committee on insurance companies :

to amend an act entitled 'An act to provide for the incorporation and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

regulating forfeiture of policies of life insurance."

ident put the question whether the Senate would agree to said bills, and it was decided in the affirmative.

ident then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the negative.

ams, from the committee on insurance companies, to which was committed the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies in relation to agencies of such companies,' passed June 24, 1853," reported in favor of the passage of the same with amendments, and was committed to the committee of the whole.

man moved that the Assembly bill entitled "An act to amend an act to amend the village of Owego," be recommitted to the committee on general orders, retaining its place on general orders.

ident put the question whether the Senate would agree to said bills, and it was decided in the affirmative.

ate then resolved itself into a committee of the whole, and reported to the consideration of general orders, being the bills entitled

in relation to the legislative printing, and to exclude, in the future, any matter of a purely private nature."

, "An act to provide for the improvement of Grasse river, and to check freshets therein."

"An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court hereafter to be elected."

After some time spent therein the President resumed the chair, and Mr. Beach, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Beach, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Parker moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach, from the same committee, reported that they have made some amendments to the last named bill, and amended the title by adding thereto as follows: "and the reporter of the Court of Appeals."

Mr. Folger renewed the amendment made in committee of the whole to strike out the second section of said entitled bill.

Mr. Parker called for a division.

The President put the question whether the Senate would agree to strike out so much of said section as relates to the Clerk of the Court of Appeals, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nichols	Thayer	Williams	
Folger	Morgan	Parker	Van Petten		9

FOR THE NEGATIVE.

Banks	Chapman	Genet	O'Donnell	Tweed	
Beach	Edwards	Hubbard			4

When the names of Messrs. Hale, Morris and Bradley were called, they asked to be excused from voting.

The President put the question whether the Senate would agree to excuse, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to strike out that part of said section relating to the State reporter, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Thayer	Williams	
Folger	Kennedy	Nichols			8

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	O'Donnell	Tweed	
Beach	Edwards	Morris	Parker	Van Petten	10

The President then put the question whether the Senate would agree to the report of the committee of the whole as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Tweed	Williams	
Beach	Hubbard	Parker			8

FOR THE NEGATIVE.

Campbell	Genet	Kennedy	Nichols	Thayer	
Folger	Humphrey	Morris	O'Donnell	Van Petten	10

ams moved to reconsider the vote just taken, and that said
 pon the table.
 lent put the question whether the Senate would agree to said
 y on the table, and it was decided in the affirmative, as fol-

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Nichols	Tweed	
Genet	Morgan	Parker	Williams	10

FOR THE NEGATIVE.

Folger	Kennedy	O'Donnell	Van Petten	
Humphrey	Morris	Thayer		9

of Mr. Genet, the Senate adjourned.

TUESDAY, MARCH 30, 1869.

ate met pursuant to adjournment.

Rev. Mr. Farr.

al of yesterday was read and approved.

y presented a petition of Eliza McBair Sanderson and James
 anderson, which was read and referred to the committee on the

ols presented a remonstrance of citizens of Buffalo, against an
 y Main and Hamburg street canal with water, which was
 erred to the committee on municipal affairs.

e presented seven remonstrances of D. A. Parker and twenty
 st the passage of any act giving authority to the Prospect
 ssioners to sell public lands lying east of Flatbush avenue,
 read and referred to the committee on municipal affairs.

ards presented a petition of trustees of the village of Port
 for authority to raise money to improve road, streets and
 said village, which was read and referred to the committee
 l affairs.

nnell presented the protest of a public meeting held in Water-
 son county, against repeal of the Sunday clause of the Metro-
 ise law, which was read and referred to the committee of the

t presented a petition of the residents and tax payers in the
 Mount Morris square, asking that the appropriation for the
 ts of said square be placed under the direction of the Central
 ssioners, which was read and referred to the committee on
 fairs.

ams presented a petition of citizens of Cayuga county, for a
 ing tolls upon railroads running parallel with the canal, which
 d referred to the committee on railroads.

er presented a petition of citizens of Fishkill, for repeal of
 of Laws of 1856, in relation to town auditor, which was read
 to the committee on internal affairs of towns and counties.

am, from the committee on banks, to which was referred the

Assembly bill entitled "An act to incorporate the Port Jervis Savings Bank," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act in relation to the Board of State Charities," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the payment of certain certificates issued to the militia of this State, for services in the war of 1812, and which certificates are now held by residents of this State, named therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to incorporate the American Museum of Natural History," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Lordville and Equinunk Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county, and to perform the duties assigned to the clerk of said county under provisions of chapter 407 of Laws of 1867," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act relating to the county jail of the county of Broome, and the prisoners that shall be confined therein for crime."

Assembly, "An act authorizing and confirming the sale of lots by Green Hill Cemetery Association."

Assembly, "An act legalizing the conveyance of lands made to Johannes Roesing, an alien of the city of New York."

Assembly, "An act to release to Susan Quinn the interest of the people of the State of New York in certain lands of which John Quinn died seized."

"An act to amend an act to incorporate the General Synod of the Reformed Dutch Church, passed April 7th, 1819." Amend the title by adding thereto: "and to enable said Synod to hold property to a greater amount."

"An act to incorporate the trustees for the management and care of the property for the support of the episcopate of the diocese of Albany."

"An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of sessions in the various counties of this State."

"An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street in said city, and to provide for assessing and collecting said cost."

Assembly, "An act to release and convey the interest of the people of

f New York in certain real estate in the town of Highland, in of Sullivan, to the widow and the heirs of Christian Metzger, and to enable them to take, hold and dispose of the same."

y, "An act to legalize and confirm certain acts and proceedings non council of the city of Albany."

y, "An act to provide for the compensation of members of the supervisors of the county of Oneida."

ident put the question whether the Senate would agree to the e committee, and it was decided in the affirmative.

That said bills be engrossed for a third reading.

unanimous consent, Mr. Tweed asked and obtained leave to intro- entitled "An act to donate to the American Museum of Natu- a collection from the duplicate specimens of Natural History o the State," which was read the first time, and by unanimous s also read the second time, and referred to the committee on

unanimous consent, Mr. Pierce asked and obtained leave to intro- entitled "An act to amend an act entitled 'An act to establish civil and criminal jurisdiction in the city of Brooklyn,' passed 1849," which was read the first time, and by unanimous con- so read the second time, and referred to the committee on the

unanimous consent, Mr. Morgan asked and obtained leave to intro- entitled "An act to incorporate the National Institute of Let- and Sciences," which was read the first time, and by unanimous s also read the second time, and referred to the committee on

unanimous consent, Mr. Murphy asked and obtained leave to intro- entitled "An act for the relief of Eliza McBair Sanderson and ich was read the first time, and by unanimous consent was he second time, and referred to the committee on the judi-

sembly bill entitled "An act to confirm the title of Samuel E. certain land in the city of Brooklyn," was read a third time.

ident put the question whether the Senate would agree to ssage of said bill, and it was decided in the affirmative, two- the members elected to the Senate voting in favor thereof, as

FOR THE AFFIRMATIVE.

Folger	Humphrey	Murphy	Thayer
Genet	Kennedy	O'Donnell	Tweed
Graham	Mattoon	Parker	Van Petten
Hale	Morgan	Pierce	Williams
Hubbard	Morris	Stanford	

24

That the Clerk return said bill to the Assembly, with a mes- ing that the Senate have concurred in the passage of the same, endment.

entitled "An act to authorize the town of Saratoga, in the Saratoga, to issue bonds and take stock in any company now or that may be hereafter organized within five years after the this act, for the purpose of building a railroad from Mechanis- oga county, to connect with the Rensselaer and Saratoga rail- e town of Moreau, Saratoga county, or in the town of Fort ashington county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Morris	Pierce	Tweed
Campbell	Hale	O'Donnell	Stanford	Van Petten
Chapman	Hubbard	Parker	Thayer	Williams
Edwards	Mattoon			

17

FOR THE NEGATIVE.

Bradley	Folger	Morgan	Murphy	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the improvement of Grasse river, and water-power thereon, and to check freshets therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	O'Donnell	Thayer
Beach	Folger	Mattoon	Parker	Tweed
Bradley	Graham	Morgan	Pierce	Van Petten
Campbell	Hale	Nichols	Stanford	Williams
Chapman	Hubbard			

22

On motion of Mr. Parker and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same without amendment.

On motion of Mr. Chapman and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Barker and Chenango Bridge Company,' passed April 8, 1842, and extending the charter of said Barker and Chenango Bridge Company," and said bill was ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Folger and by unanimous consent, said bill was amended by striking out the 6th section thereof.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Parker
Beach	Folger	Hubbard	Morris	Tweed
Bradley	Genet	Humphrey	Nichols	Van Petten
Chapman	Graham	Mattoon	O'Donnell	Williams

20

On motion of Mr. Chapman and by unanimous consent the rules were suspended, and said bill ordered transmitted to the Assembly forthwith,

age informing that the Senate have concurred in the passage with amendments.

nnell offered the following resolution :

It was alleged previous to the passage of the bill appropriated for the relief of the Albany basin, that the property of the n danger from the obstructions in said basin ; and whereas actions have not been removed, although the danger to the rty, if any such danger ever existed, must be increased by the floods ; therefore, be it

That the Canal Board report immediately to the Senate what y, has been taken to preserve or improve the Albany basin, ontract or contracts have been entered into, the amount to be r, and the person or persons with whom such contract or con- ceen made.

ident put the question whether the Senate would agree to said rd it was decided in the affirmative.

Petten moved to take from the table the motion to reconsider reeing to the report of the committee on militia and public verse to the bill entitled "An act to amend an act entitled 'An de for the enrollment of the militia, the organization and dis- e National Guard of the State of New York, and for the pub- passed April 23d, 1862, and the several acts amendatory

ident put the question whether the Senate would agree to said ke from the table, and it was decided in the affirmative.

ident then put the question whether the Senate would agree to to reconsider, and it was decided in the affirmative.

Petten moved to recommit said bill to the committee on mili- tio defense.

ident put the question whether the Senate would agree to said ecommit, and it was decided in the affirmative.

iams moved to take from the table the motion to reconsider agreeing to the report of the committee of the whole upon the "An act to increase the salaries of the judges of the Court of l of the justices of the Supreme Court hereafter to be elected, r of the Court of Appeals."

ident put the question whether the Senate would agree to said ke from the table, and it was decided in the affirmative.

ident then put the question whether the Senate would agree to to reconsider, and it was decided in the affirmative, as fol-

FOR THE AFFIRMATIVE.

Humphrey	Morris	Parker	Tweed
Mattoon	Murphy	Pierce	Van Petten
Morgan	Nichols	Thayer	Williams

16

FOR THE NEGATIVE.

Folger	O'Donnell	Stanford
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4

t moved to recommit said bill to the committee on the judi- instructions to amend the same so as to include the Clerk of Appeals.

ident put the question whether the Senate would agree to said ecommit, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Genet	Morris	Pierce	Van Petten
Bradley	Graham	Murphy	Stanford	Williams
Edwards	Hubbard	O'Donnell	Tweed	14

FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Parker	Thayer
Folger	Mattoon	Nichols		8

Mr. Morris moved to further instruct the committee to amend said bill as follows:

Add at the end of section 1, as follows: "In case of the removal of the present constitutional restriction, the justices then in office shall, for services thereafter rendered, receive compensation as provided in this act."

The President put the question whether the Senate would agree to said motion of Mr. Morris, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Nichols
Chapman	Graham	Mattoon	Murphy	Thayer
Edwards	Hubbard	Morgan		13

FOR THE NEGATIVE.

Campbell	Hale	O'Donnell	Parker	Tweed
Genet				6

Mr. Campbell moved that the following entitled bills be made the special order immediately after the present preferred calendar is disposed of:

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to amend chapter 140 of the Laws of 1850, being an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850."

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, and for the better protection of stockholders of railroad companies."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Beach offered the following resolution:

Resolved, That when the Senate adjourn at 2 o'clock to-day, it adjourn until to-morrow at 10 o'clock A. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Murphy	Stanford
Beach	Edwards	Mattoon	Nichols	Tweed
Bradley	Graham	Morris	Pierce	Van Petten
				15

FOR THE NEGATIVE.

Campbell	Genet	Humphrey	O'Donnell	Thayer
Folger	Hubbard	Morgan	Parker	Williams
				10

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of Ovid Plumb and others."

for the more effectual suppression and punishment of bribery.”
 to amend an act entitled ‘An act to incorporate the New York
 Island Bridge Company, for the purpose of constructing and
 a bridge over the East river, between the city of New York
 county,’ passed April 16, 1867.”

the time spent therein the President resumed the chair, and
 from said committee, reported that they have made some
 to the first named bill, and amended the title so as to read
 “An act for the relief of Ovid Plumb, Freeman Banks, James
 Stephen Williams, the heirs of John Kingsbury, deceased, John
 Augustus Botsford, Elliott Meeker, Thos. C. Sleeper, Alonzo
 Leib Hoffman, Edwin W. Howell, Edwin S. and Geo. Rumsey,
 Stearns, Mary J. Rhodes, administratrix of Joseph Rhodes,
 Isaac Kelly, Judah Whitcomb, Horace Seaman, Samuel Coe,
 Seaman and Charles C. Coston,” and as amended recommend its
 which report was agreed to and said bill ordered engrossed for
 reading.

from the same committee, reported progress on the second
 and asked leave to sit again.

moved that the committee of the whole be discharged from
 consideration of said bill, and that the same be recommitted
 committee on the judiciary, to report complete.

President put the question whether the Senate would agree to said
 Mr. Hale, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Hale	Morris	O'Donnell	Thayer	
Hubbard	Murphy	Parker	Van Petten	
Morgan	Nichols	Stanford		14

FOR THE NEGATIVE.

Genet	Humphrey	Pierce	Tweed	
Graham	Mattoon			8

from the same committee, reported in favor of the pas-
 last named bill with amendments, which report was agreed
 bill ordered engrossed for a third reading.

Assembly returned the following entitled bills, with a message that
 occurred in the amendments made thereto by the Senate:

changing the name of the Cherry Valley and Mohawk River
 company, and to facilitate the construction of the road, and to
 certain taxation town bonds used for the construction

to authorize the corporation of the village of Hamilton to issue
 stock in the Utica, Clinton and Binghamton railroad, and
 stockholders therein.”

That the Clerk return said bills to the Assembly.

Assembly returned the bill entitled as follows:

for the improvement of the navigation of the Racket river,
 hydraulic power thereon, and to check freshets therein.”

That the Clerk deliver said bill to the Governor.

Mattoon, from the committee on public printing, to which was
 resolution to print the report of the New York State Cattle
 ers, reported in favor of the adoption of the following resolu-

That there be printed of the report of the New York State

Cattle Commissioners, 500 copies for the use of the Commissioners, and 500 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The hour of 2 o'clock having arrived, the Senate adjourned.

WEDNESDAY, MARCH 31, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Van Petten presented several petitions of George Keller and Harry Bunel and others, in favor of rebuilding Fink's bridge, which were read and referred to the committee on internal affairs of towns and counties.

Also a remonstrance of supervisors in the 1st Assembly district of Steuben county, against division of said county, which was read and referred to the committee on erection and division of towns and counties.

Also several remonstrances of citizens of Steuben county, upon same subject, which were read and referred to the committee on erection and division of towns and counties.

Mr. O'Donnell presented a remonstrance against appropriations to the Blind Mechanics' Association, which was read and referred to the committee on finance.

Mr. Pierce presented two remonstrances of A. V. B. Van Dyck and others, against the passage of an act giving authority to Prospect park commissioners to sell the park lands lying east of Flatbush avenue, which were read and referred to the committee on municipal affairs.

Mr. Williams presented a petition of citizens of Wayne county, for an act regulating local freights on railroads, which was read and referred to the committee on railroads.

Mr. Nichols presented a petition of members of the board of trade of Buffalo and others, in favor of a pro rata freight bill, which was read and referred to the committee on railroads.

Mr. Folger presented a petition of citizens of Geneva, upon same subject, which was read and referred to the committee on railroads.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to authorize the New York and Highland Suspension Bridge Company to build a bridge across the Harlem river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommended the bill entitled "An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to incorporate the National Institute of Letters, Arts and Sciences," reported in favor of the passage of the same with amendments.

of Mr. Tweed and by unanimous consent the rules were and said bill recommitted to the committee on literature, to report complete.

an, from the committee on literature, to which was referred and "An act to incorporate the Howard Literary Association in favor of the passage of the same with amendments, was committed to the committee of the whole.

an, from the committee on literature, to which was referred and "An act to donate to the American Museum of Natural History collection from the duplicate specimens of Natural History of the State," reported in favor of the passage of the same bills, and said bill was committed to the committee of the

an, from the committee on literature, to which was referred and "An act to amend an act entitled 'An act to aid the College,' passed April 23, 1867," reported in favor of the same, and said bill was committed to the committee of

from the select committee of nine, reported the following complete:

authorize the village of Dunkirk to issue bonds for the purchasing said village with water, and to create a board of water

incorporate the New York Lumber Manufacturing and Company."

aid of the Boys' and Girls' Lodging House of the Children's of the city of New York."

authorize the towns of Yonkers and East Chester, in county r, to widen, make, extend and improve several highways in

amend section 73 of chapter 280, Laws of 1847, relating to the Supreme Court."

the better protection of minors."

amend chapter 349 of the Laws of 1855, entitled 'An act the Oswego fire department of the city of Oswego,' passed ; three-fifths being present."

'An act to amend the charter of the village of Gouverneur, of St. Lawrence."

"An act to amend an act entitled 'An act in relation to the rmont, in the county of Rockland,' passed March 30, 1853."

"An act to fix the salaries of the assessors and overseer of e city of Utica."

incorporate the 'East-Side Savings Bank of Rochester.'"

"An act to amend the charter of the International Insurance he city of New York."

amend an act entitled "An act to incorporate the Mutual mpany of Buffalo,' passed April 18, 1843."

amend an act entitled 'An act relating to the purchase of e support of the poor and other inmates of the public insti-county of Kings,' passed April 15, 1857."

ent put the question whether the Senate would agree to the committee, and it was decided in the affirmative.

hat said bills be engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend 'An act to incorporate the General Synod of the Reformed Dutch Church,' passed April 7, 1819, and to enable said Synod to hold property to a greater amount."

"An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of sessions in the various counties of this State."

"An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Albany."

"An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street, in said city, and to provide for assessing and collecting said cost."

"An act relating to the county jail of the county of Broome, and the prisoners that shall be confined therein for crime."

"An act to amend an act entitled 'An act to incorporate the New York and Long Island Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the city of New York and Queens county,' passed April 16, 1867."

"An act for the relief of Ovid Plumb, Freeman & Banks, James S. Locke, Stephen Williams, the heirs of John Kingsbury, deceased, John A. Sterling, Augustus Botsford, Elliott Meeker, Thos. C. Sleeper, Alonzo Banks, Gotlieb Hoffman, Edwin W. Howell, Edwin S. and George Rumsey, Josiah A. Stearns, Mary J. Rhodes, administratrix of Joseph Rhodes, deceased, Isaac Kelly, Judah Whitcomb, Horace Seaman, Samuel Coc, William Dean and Charles C. Coston."

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed Jan. 25, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to redistrict the county of Albany into three school commissioner districts," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of the Chamberlain Institute," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Flushing Library Association," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex part of the town of New Rochelle to the town of Scarsdale, in the

Vestchester, and to alter the boundaries thereof," reported thereto.

man moved to lay the question agreeing to the report of the upon the table.

dent put the question whether the Senate would agree to said y, on the table, and it was decided in the affirmative.

bell, from the committee on agriculture, to which was refer-
assembly bill entitled "An act to encourage the organization of
ltural societies," reported in favor of the passage of the same,
l was committed to the committee of the whole.

bell, from the committee on agriculture, to which was refer-
assembly bill entitled "An act to incorporate the New York
y Society," reported in favor of the passage of the same, and
s committed to the committee of the whole.

er, from the committee on the judiciary, to which was recom-
bill entitled "An act to increase the salaries of the judges of
f Appeals, and of the justices of the Supreme Court hereafter
ed," under instructions, with power to report complete,
at they have made some amendments thereto, and amended
adding thereto the following: "of the Clerk of the Court of
d of the Reporter of that Court," and as amended recommend

dent put the question whether the Senate would agree to the
e committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hubbard	Murphy	Tweed	
Edwards	Mattoon	Pierce	Van Petten	
Graham	Morris	Stanford	Williams	15

FOR THE NEGATIVE.

Folger	Kennedy	Nichols	Parker	
Humphrey	Morgan	O'Donnell	Thayer	10

vley, from the committee on municipal affairs, to which was
e bill entitled "An act to provide for the construction of the
vated patented railway in New York city," reported adversely
ich report was agreed to and said bill rejected.

vley, from the committee on municipal affairs, to which was
e bill entitled "An act to incorporate the Warsaw Water-
pany," reported in favor of the passage of the same, with
e, and said bill was committed to the committee of the whole.

vley, from the committee on municipal affairs, to which was
e bill entitled "An act to amend an act entitled 'An act to
the village of Cobleskill, Schoharie county,' passed April 3,
orted in favor of the passage of the same, and said bill was
to the committee of the whole.

vley, from the committee on municipal affairs, to which was
e bill entitled "An act concerning the 14th precinct station
the house of detention of witnesses of the Metropolitan police
reported in favor of the passage of the same, and said bill was
to the committee of the whole.

vley, from the committee on municipal affairs, to which was
bill entitled "An act authorizing cities and incorporated vil-
large burial grounds and to levy taxes for the payment of the
orted that they have made some amendments thereto, and

amended the title so as to read as follows: "An act authorizing cities and villages to acquire title to property for burial purposes, and levy taxes for the payment of the same," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to facilitate the opening of streets and avenues within certain districts of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act for the more effectual suppression and punishment of bribery," with instruction, and with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to amend, consolidate and reenact an act entitled 'An act to incorporate the village of Edgewater,' passed March 25, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Creamer dissented from said report.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for grading and improving Centre street, and making a sidewalk thereon and lighting the same, in the village of Peekskill," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend 'An act to increase the compensation of the justices of the sessions in the county of Kings,' passed April 11, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the judges of the several courts of the county of Kings to send prisoners convicted and sentenced for terms less than five years to the penitentiary of said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to charter and other officers in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Ellenville Savings Bank," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the German Savings Bank

'New York,' passed April 9, 1859, passed March 4, 1865,'
 in favor of the passage of the same with amendments, and said
 bill was committed to the committee of the whole.

And, from the committee on charitable and religious societies,
 was referred the Assembly bill entitled "An act to authorize
 the owners of public charities and correction, of the city of New
 York, to establish an industrial school on Hart's Island, and for other
 purposes," reported in favor of the passage of the same, and said bill was
 committed to the committee of the whole.

And, from the committee on municipal affairs, to which was
 referred the bill entitled "An act to extend the boundaries of the village
 of the county of Onondaga," reported in favor of the passage
 of the same with amendments, and said bill was committed to the com-
 mittee of the whole.

And, from the committee on canals, to which was referred the
 bill entitled "An act to provide for the construction of vertical stone
 masonry on the berme bank of the Erie canal in the village of Macedon,
 and for other purposes," reported in favor of the passage of
 the same, and said bill was committed to the committee of the whole.

And, from the committee on the judiciary, were sent for concurrence the bills entitled as follows:

1. "An act to release the interest of the People of the State of New York
 in certain real estate to Richard Wright, Robert Wright,
 and Samuel Wright," which was read the first time, and
 by unanimous consent was also read the second time, and referred to the
 committee of the judiciary.

2. "An act to amend an act entitled 'An act to prevent the introduction
 of the disease known as the rinderpest, and for the protection
 of herds of sheep and cattle in this State from destruction
 by other infectious diseases,' passed April 30, 1866," which was
 read the first time, and by unanimous consent was also read the second
 time, and referred to the committee on agriculture.

3. "An act to amend an act entitled 'An act in relation to academies and
 the village of Ogdensburg,' passed April 13, 1857, and the
 amendments thereto," which was read the first time, and by unani-
 mous consent was also read the second time, and referred to the commit-
 tee of the whole.

4. "An act to provide for the construction of an iron bridge over the Erie
 canal street, in the city of Schenectady," which was read the
 first time, and by unanimous consent was also read the second time, and
 referred to the committee on canals.

5. "An act to amend an act entitled 'An act to authorize the laying out
 of a highway in the towns of Jamaica and Flushing, in the county
 of Queens,' passed March 19, 1861," which was read the first time, and by
 unanimous consent was also read the second time, and referred to the
 committee on roads and bridges.

6. "An act to authorize the supervisor of the town of Woodhull, Steuben
 county, to sue bonds upon the credit of the town to the amount of four
 hundred dollars, for the purpose of erecting additional buildings for the
 Woodhull academy," which was read the first time, and by
 unanimous consent was also read the second time, and referred to the
 committee on internal affairs of towns and counties.

7. "An act to repeal the act passed April 17, 1862, providing for taking
 statistics in the several counties of this State," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend section 99 of chapter 352 of the Laws of 1855, relating to the village of Cohoes, and to confirm the acts of the police justice in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize John G. Henry, of Clarkson, in the county of Monroe, to remove from his farm in said town of Clarkson the remains of all dead bodies buried thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to empower Poughkeepsie Lodge No. 21, of the Independent order of Odd Fellows, of the State of New York, in the city of Poughkeepsie and county of Dutchess, to hold and convey real and personal estate, and constitute the same a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the 'Independent Turnverein,' in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to facilitate the formation of corporations under general laws, and to amend the laws relating thereto, and to permit corporations to change their names," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate 'The Social Maennercher' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Buffalo Turnverein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the American Popular Life Insurance Company to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon Depot Turnpike road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 280, section 73 of Laws of 1847, relating to a reporter for the Supreme Court," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Banks and by unanimous consent the rules were suspended, and said bill referred to the committee of the whole.

"An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

amend the charter of the city of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

to amend an act entitled 'An act to enable the supervisor of Martinsburgh, Lewis county, to convey land to enable him to hold, sell and convey lands for burial purposes, and to amend the same,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

to amend an act entitled 'An act to authorize certain towns in Sullivan and Orange to issue bonds and take stock in any company organized, or that may hereafter be organized within three years, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the village of Forestburgh, in said county of Sullivan, and the village of Port Jervis, in the county of Orange, to Port Jervis, Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

to enable the town of Albion, Oswego county, to pay the expenses incurred by that town to certain enlisted soldiers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

to enable the electors of the town of Cortlandt, in the county of Cortlandt, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

to amend an act incorporating the village of Phoenix, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

to authorize the draining of a culvert under the Erie canal at the village of Phoenix, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

to amend 'An act to incorporate the village of Rushville,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

to provide for the rebuilding of the bridge over that part of the Erie canal not used for canal purposes, between the towns of Salina and Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to incorporate 'The Ogdensburgh Savings Bank,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

to legalize the proceedings of the annual town meeting of the town of Oneida, held March 2, 1869, in reference to the same, and to provide for the payment of the same," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the benefit of the Union school, in Hamilton, New York, passed 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the charter of the Western Homœopathic Dispensary, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act to provide for the construction of an iron bridge over the Oswego canal and towing path near the northern bounds of the village of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to release the interest of the people of the State of New York of, in and to certain real estate situated in the town of Cortlandt and county of Westchester, to Frederick E. Dyckman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to entitle Charlotte Ann Dennison, Mary Jane Dennison and Elizabeth Dennison, to become legitimized as the children of James Dennison, deceased, and to become heirs-at-law of said James, and to enable them to receive a pension from the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 7, 1864, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the city and town of Binghamton to purchase the two toll bridges across the Susquehanna river at Binghamton, and to maintain them as free bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to incorporate the Samaritan Home for the aged of the city of New York,' passed March 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly returned the bill entitled "An act to provide for the

f the bridge over the Oswego river between the towns of Onondaga county, and Schroepfel, in the county of Oswego," was recommitted to the committee of the whole.

nous consent, Mr. O'Donnell asked and obtained leave to bill entitled "An act to amend chapter 556 of the Laws of 1863, in relation to instruction in academies in common school teaching," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

nous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend chapter 507 of the Laws of 1863, in relation to the formation of a railroad company connecting the city line in the city of Brooklyn, in the county of Kings, with the village of Jamaica, in the county of Queens, and to grant a franchise to the Brooklyn and Jamaica Turnpike Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on

nous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to authorize the rebuilding the bridge over the Mohawk river at Finck's Basin, and to appoint commissioners to manage the same, and to borrow money on the credit of the towns of Littleton and Danube," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

nous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to enable the Brooklyn City Dispensary to receive donations, and making an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

nous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the City Safe Deposit Company of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on

nous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to legalize the terms of office of all local officers in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the removal of bench walls and the construction of vertical walls on the Erie and Oswego canals, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on

nous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to extend the time for the completion of the Erie railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on

nous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act in relation to the Baptist Church in Clyde, in the county of Wayne," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act relative to the board of revision and correction of assessments in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to confirm the title of the mayor, aldermen and commonalty of the city of New York to certain lands in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to provide for the auditing and payment of the claim of Frances Hubbard, late of Hopkinton, St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to legalize the acts and proceedings of Elias W. Payne, as justice of the peace of the town of Shelter Island, county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of Brooklyn, and various sections amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend section 121 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act relating to the county jail of the county of Broome, and the prisoners that shall be confined therein for crime," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Norton	Stanford
Campbell	Folger	Mattoon	O'Donnell	Thayer
Chapman	Hale	Morris	Parker	Tweed
Creamer,	Hubbard	Nichols	Pierce	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to incorporate the General Synod of the Reformed Dutch Church, passed April 7th, 1819," and to

Synod to hold property to a greater amount," was read a

ident put the question whether the Senate would agree to
sage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Folger	Kennedy	Nichols	Pierce
Graham	Mattoon	Norton	Stanford
Hale	Morgan	O'Donnell	Thayer
Hubbard	Morris	Parker	Tweed
Humphrey			22

That the Clerk deliver said bill to the Assembly, and request
ence therein.

Assembly bill entitled "An act authorizing and confirming the sale
between Hill Cemetery Association," was read a third time.

ident put the question whether the Senate would agree to
sage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Morris	Pierce
Folger	Kennedy	Nichols	Stanford
Hale	Mattoon	Palmer	Thayer
Hubbard	Morgan	Parker	Tweed
			21

That the Clerk return said bill to the Assembly, with a mes-
sage that the Senate have concurred in the passage of the same,
and amendment.

Assembly bill entitled "An act legalizing the conveyance of lands
between Roesing, an alien of the city of New York," was read

ident put the question whether the Senate would agree to
sage of said bill, and it was decided in the affirmative, two-
the members elected to the Senate voting in favor thereof, as

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Nichols	Stanford
Edwards	Mattoon	Palmer	Tweed
Folger	Morgan	Parker	Van Petten
Graham	Morris	Pierce	Williams
Hubbard			22

That the Clerk return said bill to the Assembly, with a mes-
sage that the Senate have concurred in the passage of the same,
and amendment.

Assembly bill entitled "An act to release to Susan Quinn the inte-
rest of the State of New York in certain lands of which
she died seized," was read a third time.

ident put the question whether the Senate would agree to
sage of said bill, and it was decided in the affirmative, two-
the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Morris	Stanford
Folger	Kennedy	Nichols	Thayer

Campbell	Graham	Mattoon	Palmer	Tweed
Creamer	Hale	Morgan	Parker	Van Petten
Crowley	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the trustees for the management and care of the property for the support of the episcopate of the diocese of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Mattoon	Norton
Campbell	Edwards	Hubbard	Morris	Palmer
Chapman	Folger	Humphrey	Murphy	Parker
Creamer	Graham	Kennedy	Nichols	Stanford

20

FOR THE NEGATIVE.

Morgan Thayer

2

Mr. Beach moved to reconsider said vote, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of sessions in the various counties of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Pierce
Chapman	Graham	Kennedy	Nichols	Stanford
Creamer	Hale	Mattoon	Palmer	Tweed
Edwards	Hubbard	Morgan	Parker	Van Petten
Folger				

21

FOR THE NEGATIVE.

O'Donnell Thayer

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street in said city, and to provide for assessing and collecting said cost," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Pierce
Campbell	Folger	Kennedy	Murphy	Stanford

Graham	Mattoon	Palmer	Tweed	
Hubbard	Morgan	Parker	Van Petten	20

FOR THE NEGATIVE.

1

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

Assembly bill entitled "An act to release and convey the interest of the State of New York in certain real estate in the town of ... in the county of Sullivan, to the widow and the heirs of Metzger, deceased, and to enable them to take, hold and dispose of," was read a third time.

President put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, two-thirds of the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Folger	Humphrey	Nichols	Stanford	
Genet	Kennedy	O'Donnell	Thayer	
Graham	Mattoon	Palmer	Tweed	
Hale	Morgan	Parker	Van Petten	
Hubbard	Morris	Pierce	Williams	25

That the Clerk return said bill to the Assembly, with a message stating that the Senate have concurred in the passage of the same, and amendment.

Assembly bill entitled "An act to legalize and confirm certain acts and proceedings of the common council of the city of Albany," was read a second time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Graham	Morgan	Palmer	Thayer	
Hubbard	Morris	Parker	Tweed	
Humphrey	Nichols	Pierce	Van Petten	
Kennedy	O'Donnell	Stanford	Williams	
Mattoon				22

FOR THE NEGATIVE.

1

That the Clerk return said bill to the Assembly, with a message stating that the Senate have concurred in the passage of the same, and amendment.

Assembly bill entitled "An act to provide for the compensation of the board of supervisors of the county of Oneida," was read a second time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Folger	Mattoon	O'Donnell	Stanford
Hubbard	Morgan	Palmer	Thayer

Campbell	Humphrey	Morris	Parker	Van Petten	
Creamer	Kennedy	Nichols	Pierce	Williams	
Edwards					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Ovid Plumb, Freeman & Banks, James S. Locke, Stephen Williams, the heirs of John Kingsbury, deceased, John A. Sterling, Augustus Botsford, Elliott Meeker, Thomas C. Sleeper, Alonzo Banks, Gottleib Hoffman, Edwin W. Howell, Edwin S. and George Rumsey, Josiah A. Stearns, Mary J. Rhodes, administratrix of Joseph Rhodes, deceased, Isaac Kelly, Judah Whitcomb, Horace Seaman, Samuel Coe, William Dean and Charles C. Coston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nichols	Thayer	
Campbell	Hubbard	Morgan	Norton	Tweed	
Edwards	Humphrey	Morris	Palmer	Van Petten	
Folger	Kennedy				17

FOR THE NEGATIVE.

Beach	O'Donnell	Parker	Stanford	Williams	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the New York and Long Island Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the city of New York and Queens county,' passed April 16, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Stanford	
Campbell	Folger	Mattoon	O'Donnell	Thayer	
Chapman	Genet	Morgan	Palmer	Tweed	
Creamer	Graham	Morris	Parker	Van Petten	
Crowley	Hubbard	Murphy	Pierce		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer gave notice that he would, at some future day, offer a resolution to amend rule 48 of the Senate.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832,' passed April 1, 1854.'"

in relation to the legislative printing, and to exclude, in print-
ous matter."

o incorporate the village of Whitestone, in Queens county."
ne time spent therein, the President resumed the chair, and
an, from said committee, reported in favor of the passage of
ned bill, with amendments, which report was agreed to and
lered engrossed for a third reading.

man, from the same committee, reported in favor of the pas-
second named bill with amendments.

ident put the question whether the Senate would agree to the
e committee of the whole, and it was decided in the affirma-
ows:

FOR THE AFFIRMATIVE.

Humphrey	Morris	Palmer	Stanford
Kennedy	Nichols	Parker	Thayer
Morgan	Norton		

13

FOR THE NEGATIVE.

Genet	Hubbard	Tweed	Williams
Graham	Mattoon	Van Petten	

9

That said bill be engrossed for a third reading.

man, from the same committee, reported progress on the last
and asked leave to sit again.

er moved to discharge the committee of the whole from the
sideration of said entitled bill, and that the same be recommit-
committee on municipal affairs, with power to report com-

ident put the question whether the Senate would agree to said
ecommit, and it was decided in the affirmative.

n of Mr. Crowley and by unanimous consent, the committee
ble was discharged from the further consideration of the
bill entitled "An act to amend an act entitled 'An act to
consolidate the charter of the village of Le Roy,' passed
7," and the same was read a third time.

ident put the question whether the Senate would agree to the
e of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Nichols	Stanford
Edwards	Kennedy	Norton	Van Petten
Hale	Morgan	O'Donnell	Williams
Hubbard	Morris	Parker	

19

FOR THE NEGATIVE.

1

That the Clerk return said bill to the Assembly, with a mes-
ing that the Senate have concurred in the passage of the same,
ments.

imous consent, Mr. Hubbard moved that the committee on
bridges have power to report complete the Assembly bill enti-
ct to incorporate the Lordville and Equinunk Bridge Com-

ident put the question whether the Senate would agree to said
l it was decided in the affirmative.

On motion of Mr. Norton and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the West Side Savings Bank, to be located in the city of New York,' passed May 19, 1868," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Creamer	Hale	Morris	Parker	Van Petten
Edwards	Hubbard	Nichols	Pierce	Williams
Folger	Humphrey	Norton	Stanford	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the drainage of certain low lands in the town of Ira, in the county of Cayuga, and in the town of Hannibal, in the county of Oswego," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Beach, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the Lordville and Equinunk Bridge Company," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to regulate and restrict the organization of Savings banks and institutions for savings."

"An act to divide the district designated by the act entitled 'An act to promote the public health in the town of New Utrecht, in the county of Kings,' passed April 18th, 1859, and to provide for the draining of the ponds and other places in such districts."

"An act for the relief of John Edwards."

After some time spent therein, the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Genet, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a workhouse for said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to authorize the Ameri-

Life Insurance Company to increase its capital stock," in favor of the passage of the same, and said bill was committed to the committee of the whole.

ous consent, Mr Tweed moved that the Senate go into session for the confirmation of notaries public only.

ent put the question whether the Senate would agree to said
it was decided in the affirmative.

then went into executive session, and after some time spent doors were opened and legislative business resumed.

ous consent, Mr. Murphy moved that when the Senate o'clock P. M. to-day, it adjourn until to-morrow morning at

ent put the question whether the Senate would agree to said
t was decided in the affirmative.

moved that the Senate now adjourn.

ent put the question whether the Senate would agree to said
it was decided in the negative.

again resolved itself into a committee of the whole, and the consideration of general orders, being the Assembly follows:

reorganize the board of water and sewerage commissioners of Brooklyn, and to provide for the repaving, repairing and cleaning of the streets of said city by said board."

time spent therein the President resumed the chair, and from said committee, reported in favor of the passage of the bill without amendment, which report was agreed to and said bill passed on its third reading.

ably returned the following entitled bills, with a message that
 occurred in the amendments made thereto by the Senate:

facilitate the construction of the New York and Oswego
road, and to amend the several acts in relation thereto."

amend an act entitled 'An act to incorporate the Barker
o Bridge Company,' passed April 8, 1842, and extending
said Barker and Chenango Bridge Company."

amend chapter 334 of Laws of 1866, entitled 'An act in
the Troy and Albia Horse Railroad Company."

provide for the construction of vertical wood docking along
bank of the Erie canal in the village of Rome."

incorporate Tiger Hose Company No. 1, of the city of

that the Clerk return said bills to the Assembly.

ably returned the following entitled bills, with a message that occurred in the passage of the same without amendment:

legalize the acts of William Salisbury, a justice of the peace of Catskill, Greene county."

incorporate Arcade Hook and Ladder Company No. 1, of
 ming county."

that the Clerk deliver said bills to the Governor.

At 2 o'clock having arrived, the Senate adjourned.

THURSDAY, APRIL 1, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Searle.

The journal of yesterday was read and approved.

Mr. Folger moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Folger	Kennedy	O'Donnell	3
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FOR THE NEGATIVE.

Banks	Edwards	Morgan	Nichols	Stanford	
Campbell	Hale	Morris	Norton	Tweed	
Creamer	Humphrey	Murphy	Parker	Van Petten	
Crowley	Mattoon				17

Mr. Williams presented two petitions, for passage of pro rata freight bill, which were read and referred to the committee on railroads.

Mr. Van Petten presented a petition of citizens of Steuben county, for repeal of law relative to inspection of steam-boilers, which was read and referred to the committee on commerce and navigation.

Mr. Tweed presented a petition of the New York Juvenile Guardian Society, for aid in support of City Home and its industrial schools, which was read and referred to the committee on finance.

Mr. Nicks presented seven remonstrances against division of Steuben county, which were read and referred to the committee on the erection and division of towns and counties.

Mr. Thayer presented a petition of 200 citizens of West Troy, for building side-cut locks at that place, which was read and referred to the committee on canals.

Mr. Pierce presented two remonstrances against sale of land by commissioners of Prospect park, which were read and referred to the committee on municipal affairs.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to prevent the introduction and spread of the disease known as the rinderpest, and for the protection of the flocks and herds of sheep and cattle in this State from destruction by this and other infectious diseases,' passed April 20, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of John Bair, Wm. Evans, Wm. Everts and Evan R. Evans, for damages sustained by them in consequence of a break in the Erie canal, at or near Oriskany, on or about the 16th day of June, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was refer-

Assembly bill entitled "An act to repeal the act passed April 17, 1868, for taking agricultural statistics in the several counties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the town of Franklinville, in the county of Cattaraugus, to acquire title in said town for the Buffalo and Washington company,' passed May 6, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend certain towns in the counties of Sullivan and Orange to issue stock in any company now organized, or that may hereafter be organized within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in the county of Sullivan, and the town of Deerpark, in the county of Sullivan, to Port Jervis, Orange county,' passed May 4, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the bridge across the Mohawk river at Finck's Basin, and to authorize commissioners for that purpose, and to borrow money on the bonds of the towns of Little Falls, Manheim and Danube," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act passed April 17, 1868, to remove the remains of John S. Henry, of Clarkson, in the county of Monroe, to remove the remains in said town of Clarkson, the remains of all dead bodies buried in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act passed April 17, 1868, to electors of the town of Cortlandt, in the county of Westchester, to electors of the town of Cortlandt, in the county of Westchester, by districts for town officers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act passed April 17, 1868, to enable the supervisor of the town of Woodhull, Steuben county, to issue bonds upon the credit of the town to the amount of four thousand dollars for the purpose of erecting additional buildings for the use of the Woodhull Academy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act passed April 17, 1868, to enable the supervisor of the town of Lewis, Lewis county, to convey land to enable trustees to hold, and to improve the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

passed April 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to authorize the construction of certain piers on the North river, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," reported adversely thereto.

Mr. Morgan moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 29 of article 1, title 4, chapter 2, part 4 of the Revised Statutes, and authorizing foremen of grand juries to issue subpoenas and compel the attendance of witnesses," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act relating to certain lands sold by the State Engineer and Surveyor," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to establish a Metropolitan police district and to provide for the government thereof,' passed April 15, 1857, passed April 10, 1860, passed April 25, 1864,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing town boards in the county of Monroe to offer and pay rewards for the apprehension of criminals," reported adversely thereto.

Mr. Morgan moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 22 of chapter 6, article 1, title 2 of the second part of the Revised Statutes, in respect to administrators with the will annexed," reported adversely thereto.

Mr. Creamer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act defining the jurisdiction of notaries public," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a mes-

g that the Senate have non-concurred in the passage of the

from the committee on the judiciary, to which was referred bill entitled "An act to entitle Charlotte Ann Dennison, ennison and Elizabeth Dennison, to become legitimized as f James Dennison, deceased, and to become heirs-at-law of and to enable them to receive a pension from the United ted adversely thereto.

moved to lay the question agreeing to the report of the on the table.

ent put the question whether the Senate would agree to said on the table, and it was decided in the affirmative.

from the committee on the judiciary, to which was referred ed "An act in relation to writs of prohibition," reported in assage of the same, and said bill was committed to the com-whole.

from the committee on the judiciary, to which was referred ed "An act to legalize the election of justices of the peace in otsdam, St. Lawrence county, and to amend the 'Act relating ustice' in said town," passed February 7, 1863," reported in assage of the same with amendments, and said bill was com-committee of the whole.

from the committee on the judiciary, to which was referred ed "An act to amend an act entitled 'An act to provide for ent of an additional number of notaries public in the State t,' passed April 29, 1868," reported that they have made nents thereto, and amended the title so as to read "An act y the appointment of an additional number of notaries pub-of New York," and as amended recommend its passage; committed to the committee of the whole.

from a majority of the committee on State prisons, to which the bill entitled "An act authorizing the appointment of s to locate a new State prison," reported the same to the amendments, for its consideration, and said bill was com-committee of the whole.

from the committee on the judiciary, to which was referred ed "An act to amend an act entitled 'An act concerning the s, executors and administrators, guardians and wards, and ourts,' passed May 16, 1837," reported in favor of the pas-same, and said bill was committed to the committee of the

from the committee on the judiciary, to which was referred ed "An act to punish the issuing, procuring or use of fraudu-es of naturalization," reported in favor of the passage of the d bill was committed to the committee of the whole.

, from the committee on the judiciary, to which was referred ed "An act to provide a place for the holding of the surro-and for the safe keeping of the records of the surrogate in udson, Columbia county," reported in favor of the passage and said bill was committed to the committee of the whole.

, from the committee on the judiciary, to which was referred of tax payers of joint school district No. 6, in the towns of Vaddington, in St. Lawrence county, for relief of Jared T. reported by bill entitled "An act for the relief of Jared T.

Abernethy, and to authorize a tax on school district No. 6, of the towns of Madrid and Waddington, in the county of St. Lawrence, and the payment of the avails thereof to him," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the appointment of an interpreter in the county of Kings,' passed May 2, 1864," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act for the appointment of an interpreter in the courts of Kings county,' passed May 2, 1864," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Working Women's National Association," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the proceedings of the annual town meeting of Whitestown, in the county of Oneida, held March 2, 1869, in reference to the purchase by said town of the Rome and Utica plankroad, and to provide means for the payment of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the American Museum of Natural History," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable the town of Albion, Oswego county, to pay the bounties promised by that town to certain enlisted soldiers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to relinquish the title of the State to certain lands in the town of Westfield, Chautauqua county, to Mary Ann Nundy," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the place of trial of certain offenses," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of George Devitt, in the town of Waterford, Saratoga county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the erection of wharves and piers in the Hudson river, below the Second avenue,' passed April 4, 1868," reported in favor

of the same, and said bill was committed to the committee from the committee on the judiciary, to which was referred "An act to amend chapter 206 of the Laws of 1863," they have amended the title by adding thereto "entitled on to evidence," and as amended recommend its passage; committed to the committee of the whole.

from a majority of the committee on the judiciary, to which the bill entitled "An act to repeal title 19, article 1, chapter Second Revised Statutes, entitled 'Regulations concerning' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

stated his dissent from said report.

from the committee on manufactures, to which was referred "An act to amend an act entitled 'An act to amend authorize the formation of corporations for manufacturing, chemical and chemical purposes,' passed February 17, 1848, 11, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the

n, from the committee on literature, to which was recommended "An act to donate to the American Museum of a collection from the duplicate specimens of Natural history to the State," with power to report complete, reported complete, which report was agreed to and said bill ordered a third reading.

y, from a majority of the committee on municipal affairs, referred the bill entitled "An act to authorize the widening boundary streets on the Hudson river, in New York city, fifth avenue," reported the same to the Senate with amendment for consideration.

y stated his dissent from said report.

moved to recommit said bill to the committee on municipal

ent put the question whether the Senate would agree to said bill, which was decided in the affirmative.

from the committee on the judiciary, to which was referred bill entitled "An act to incorporate the New York Amusement company, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the

n, from the committee on railroads, to which was referred "An act to amend an act entitled 'An act to authorize the construction of a railroad track on South, West, and certain other parts of the city of New York,' passed April 17, 1860," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

, from the committee on public health and medical societies to which was referred the Assembly bill entitled "An act to amend the charter of the Western Homœopathic Dispensary, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

n, from the committee on engrossed bills, reported as corrected, the bills entitled as follows:

"An act for the better protection of minors."

"An act to amend chapter 349 of the Laws of 1855, entitled 'An act incorporating the Oswego fire department of the city of Oswego,' passed April 12, 1855."

"An act to authorize the village of Dunkirk to issue bonds for the purpose of supplying said village with water, and to create a board of water commissioners."

"An act in aid of the Boys' and Girls' Lodging House of the Children's Aid Society of the city of New York."

"An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court hereafter to be elected, of the Clerk of the Court of Appeals and of the reporter of that court."

Also as correctly re-engrossed :

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, in the counties of Orange, New York or Kings, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

"An act to incorporate the New York Lumber Manufacturing and Improvement Company."

"An act to authorize the towns of Yonkers and East Chester, in county of Westchester, to widen, make, extend and improve several highways in said towns."

Mr. Folger, from the select committee of nine, reported the following entitled bills complete :

"An act to provide for grading and improving Centre street, and making a sidewalk therein, and lighting the same, in the village of Peekskill."

"An act to provide for the correction of errors in the equalization of the assessments in any county, as made by the board of supervisors."

Amend the title by striking out "any" before "county," and inserting "Columbia."

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

"An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester."

Assembly, "An act for the erection and maintenance of watering troughs in the public highways."

Assembly, "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867."

Assembly, "An act to authorize the annual town elections of the town of Sodus, in the county of Wayne, to be held by election districts."

"An act to provide for the completion of Atlantic avenue, in the city of Brooklyn, and for the collection of the expenses of the same as provided by law."

"An act to amend an act entitled 'An act to establish a capital police district, and provide for the government thereof,' passed May 8, 1868."

"An act to release to the widow and children of Thos. Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario."

Assembly, "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868."

Assembly, "An act to amend an act entitled 'An act to open a square to be known as Lafayette square, in the city of Brooklyn,' passed April 23, 1867."

"An act confirming the title of the First Congregational at Katoga Springs to the real estate which has been conveyed authorizing said society to sell a portion of its property and to confirm thereof, and confirming all leases thereof made."

"An act to amend an act entitled 'An act to provide for swamp lands in the towns of Lima, Livonia and Avon, in the County of Livingston,' passed April 20, 1866."

"An act to incorporate the Tritenon Schuetzen Company of

"An act to release certain escheated lands to the legatees of

"An act to legalize the action of the town meeting of the town of, held February 9, 1869."

"An act to amend an act entitled 'An act to establish and amend the laws relating to the village of Deposit,' passed March 2, 1858, and the acts amendatory thereof."

The committee put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

That said bills be engrossed for a third reading.

The committee presented the report of the Superintendent of the Bank of Albany upon savings banks, which was laid on the table and read.

(See Doc. No. 71.)

Mr. T. J. Kane offered the following resolution:

That there be printed for the use of the Superintendent of the Department, and for distribution by him to savings banks, a copy of the report on savings banks, and 1,000 copies for the

That said resolution be referred to the committee on public

report of the Harlem Bridge Commissioners, which was laid on the table and ordered printed.

(See Doc. No. 68.)

The assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to establish a free school in the town of Oyster Bay, Queens county,' passed April 15, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to incorporate the New Amsterdam Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act in relation to a stenographic system of shorthand for the circuit courts, courts of oyer and terminer and special sessions of the fifth judicial district,' passed February 25th, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the payment of appropriations heretofore made for the maintenance of the Troy Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the Congregation Agudath Achim Mekkarakar of the City of New York to pay sick and funeral benefits to its members, and to provide for a suitable interment for deceased members," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Metropolitan Guaranty and Indemnity Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend chapter 938 of the Laws of 1867, entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to confirm the official acts of Robert James, an overseer of the poor of the town of Steuben, in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act relative to the Hudson Avenue Railroad Company in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing the corporation of the city of Troy to borrow moneys and issue bonds therefor for the extension of the waterworks of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to establish free schools in district No. 5, in the town of Flushing, passed March 10th, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to repeal chapter 969 of the Laws of 1867, in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan police district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the election of a receiver of taxes and assessments for the town of Cortlandt and the village of Peekskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city through the lands of Big Rock Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize and confirm the acts of the board of trustees of the village of Rome in determining the terms of office of the trustees of said village," which was read the first time, and by unanimous consent was

second time, and referred to the committee on municipal

n, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Ogdensburgh Savings Bank,'" reported in favor of the passage of the same with amendments, and the bill was committed to the committee of the whole.

ey, from the committee on municipal affairs, to which was referred the bill entitled "An act to alter the commissioners' map of the town of Union," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

ey, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the village of Whitesboro, in Yates county," with power to report complete, reported the same with amendments, which report was agreed to and said bill was engrossed for a third reading.

ably returned the bill entitled "An act authorizing the construction and maintaining of a free bridge over the Susquehanna river, between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," with a message that they have concurred in the passage thereof with the following amendments:

Line 2, engrossed bill, strike out "Craig" and insert "Crane." Line 3, strike out "Moses La Grange" and insert "Chester Seymour." Line 4, strike out word "and" and insert "purchase." Line 5, strike out words "not to exceed five hundred dollars." Line 6, after word "reasonable" insert "not to exceed five hundred dollars." Insert after word "bridge" end of words "over the Susquehanna river." Insert after word "and of line 23, the words "and a legal claim." Strike out in line 24 the word "in" down to and including word "Vestal" and insert in lieu thereof the words "the same proportion as the valuation of each of said towns appearing on the respective tax bills of said towns for the year 1868, shall bear to the actual cost of building such bridge, not exceeding thirty thousand dollars." Strike out word "equally" and insert "in the same proportions as they are required to build it."

Line 8, after "News" insert "Broome Republican, and the Weekly Democrat." On same line, strike out "a." Line 9, strike out printed words "at Union" and insert "in."

Section 8, insert as section 9, the following:

"The commissioners named in the first section of this act are authorized to receive donations and subscriptions from individuals towards the construction of a bridge, and may sue for and collect such subscriptions in and all moneys so received or collected by them shall be paid to the town designated by the subscriber, and shall be applied to the construction of a bridge authorized to be levied on said town by this act."

Section "9" to "10."

He then put the question whether the Senate would agree to the amendments, and it was decided in the affirmative, a majority of three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Kennedy	O'Donnell	Thayer
Edwards	Mattoon	Parker	Tweed

Cauldwell	Hale	Morris	Pierce	Van Petten	
Chapman	Hubbard	Nichols	Stanford	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to reappropriate moneys for paying awards made by Canal Appraisers in 1866, for paying the expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act releasing to the owners of adjoining lands parts of certain streets in the south village of Black Rock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Cosmos Life Policy Trust Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of the Inebriates Home for Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to alter the commissioners' map of the city of Brooklyn, by closing Talmage place and laying out 2d, 4th, 6th and 8th streets, between 8th and 9th avenues in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 17, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863, and the act amendatory thereof, passed April 25, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act authorizing and requiring the town of Farmersville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Firemen's Trust Insurance Company of Brooklyn," which was read the first time, and by

consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in aid of the payment of the debt on the City of New York of the New York Juvenile Guardian Society, and in aid of the Home of the said Home and for the industrial schools of said Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act in relation to the State Cabinet of Natural History," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature. The Assembly returned the bill entitled "An act to authorize any life insurance, or any trust or loan company, or any savings bank, to use their funds or deposits in the bonds issued pursuant to any law of the State by the village of Middletown, Orange county, for the purpose of erecting waterworks," with a message that they have concurred in the passage thereof with the following amendments:

1. line 2, engrossed bill, after the word "bank" insert "in the counties of Orange, New York or Kings."

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Hale	Mattoon	Pierce
Edwards	Hubbard	Morris	Stanford
Genet	Humphrey	Murphy	Thayer
Graham	Kennedy	Norton	Tweed

20

FOR THE NEGATIVE.

1

That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A bill entitled "An act to authorize the village of Dunkirk to issue bonds for the purpose of supplying said village with water, and to create a board of water commissioners," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Folger	Humphrey	Nichols	Stanford
Genet	Kennedy	Norton	Tweed
Graham	Morgan	O'Donnell	Van Petten
Hale	Morris	Parker	Williams
Hubbard	Murphy	Pierce	

24

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

A bill entitled "An act to incorporate the New York Lumber Manufacturing and Improvement Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morris	Stanford
Campbell	Folger	Humphrey	Nicks	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Morgan	Parker	Van Petten
Creamer				

21

FOR THE NEGATIVE.

Nichols

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in aid of the Boys' and Girls' Lodging House of the Children's Aid Society of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Beach	Edwards	Humphrey	Nicks	Tweed
Campbell	Folger	Kennedy	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Morris	Stanford	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the towns of Yonkers and East Chester, in county of Westchester, to widen, make, extend and improve several highways in said towns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	O'Donnell	Thayer
Campbell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Morris	Pierce	Van Petten
Folger	Hubbard	Nicks	Stanford	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 73 of chapter 280, Laws of 1847, relating to a reporter for the Supreme Court," having been announced for a third reading,

Mr. Banks moved to substitute therefor the Assembly bill with same title.

The President put the question whether the Senate would agree to said motion to substitute, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

Members elected to the Senate voting in favor thereof, and said members being present, as follows:

FOR THE AFFIRMATIVE.

Crowley	Kennedy	Nichols	Thayer
Edwards	Morgan	Nicks	Tweed
Graham	Morris	Norton	Van Petten
Humphrey	Murphy	Pierce	Williams 20

FOR THE NEGATIVE.

Parker **Stanford** 3

that the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, &c.

itled "An act for the better protection of minors," was read

ent put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, and the members elected to the Senate voting in favor thereof.

FOR THE AFFIRMATIVE.

Chapman	Graham	Morris	Pierce
Creamer	Hale	Murphy	Thayer
Edwards	Humphrey	Nichols	Tweed
Genet	Mattoon	Parker	Van Petten 20

FOR THE NEGATIVE.

that the Clerk deliver said bill to the Assembly, and request
 nce therein.

ly bill entitled "An act to amend the charter of the village of St. Lawrence," in the county of St. Lawrence," was read a third time.

put the question whether the Senate would agree to the
of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Morgan	Parker
Genet	Humphrey	Morris	Pierce
Graham	Kennedy	Nichols	Thayer
Hale	Mattoon	Nicks	Van Petten

that the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, etc.

of Mr. Graham and by unanimous consent, the committee were discharged from the further consideration of the Assembly. An act to amend an act entitled 'An act to authorize the Board of Supervisors of the counties of Sullivan and Orange to issue bonds and to authorize any company now organized or that may hereafter be organized within three years after the passage of this act, for the purpose of constructing a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forrestburgh, in said county of Sullivan, and the town of Deepark, in the county of Orange.

to Port Jervis, Orange county,' passed May 4, 1868," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	Parker	Tweed
Cauldwell	Graham	Mattoon	Pierce	Van Petten
Chapman	Hale	Morris	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Banks moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Albany."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

On motion of Mr. Banks and by unanimous consent, said bill was amended by striking out the name of "F. J. Fitch," in section 1.

Also, strike out "six" and insert "five" in section 2.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Norton
Campbell	Folger	Humphrey	Murphy	Parker
Cauldwell	Graham	Kennedy	Nichols	Stanford
Creamer	Hale	Mattoon	Nicks	Thayer

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the village of Piermont, in the county of Rockland,' passed March 30, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce
Beach	Creamer	Hubbard	Nichols	Stanford
Campbell	Edwards	Humphrey	O'Donnell	Van Petten
Cauldwell	Genet	Kennedy	Parker	

10

FOR THE NEGATIVE.

Folger

1

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and amendment.

Van Petten moved to take from the table the bill entitled "An act to amend the act entitled 'An act for the letting of certain canal contracts,' passed April 15, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1857, to define the method in which the repairs of the canals shall be conducted."

Van Petten put the question whether the Senate would agree to said bill as taken from the table, and it was decided in the affirmative.

Van Petten having been announced for a third reading,

Van Petten moved to recommit said bill to the committee on canals with instructions to amend the same by striking out sections 1 and 2, and "third," and the words in line 3 of section 4, "and dated the 1st day of December, 1866," and sections 8 and 9.

Van Petten put the question whether the Senate would agree to said bill as amended, and it was decided in the negative.

Van Petten moved to recommit with instructions to amend section 4 by striking out the words "Commissioners of the Canal Fund," and to insert "Auditor of the Canal Department."

Van Petten put the question whether the Senate would agree to said bill as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Kennedy	Morgan	O'Donnell	Van Petten	
Mattoon	Nicks	Parker		9

FOR THE NEGATIVE.

Edwards	Hale	Nichols	Thayer	
Folger	Hubbard	Norton	Tweed	
Genet	Morris	Pierce	Williams	
Graham	Murphy	Stanford		19

Van Petten moved to recommit said bill to the committee on canals, with instructions to strike out the words "Canal Commissioners" wherever they occur in the first section, and inserting "Canal Board."

Van Petten put the question whether the Senate would agree to said bill as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Murphy	Pierce	
Genet	Morris	Norton	Tweed	10

FOR THE NEGATIVE.

Hale	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	
Kennedy	Nicks	Stanford	Williams	
Mattoon				17

The bill was then read a third time.

Van Petten put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of 17 yeas and 10 nays.

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Morris	Nicks	Thayer
Campbell	Folger	Murphy	O'Donnell	Williams
Chapman	Hale			

17

FOR THE NEGATIVE.

Creamer	Humphrey	Morgan	Parker	Tweed
Genet	Kennedy	Norton	Pierce	Van Petten
Graham	Mattoon			

12

Mr. Morgan moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Humphrey	Norton	Pierce	Tweed
Genet	Morgan	Parker		

8

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Campbell	Edwards	Kennedy	Nicks	Van Petten
Chapman	Folger	Morris	O'Donnell	Williams
Creamer	Hale	Murphy	Stanford	

19

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kennedy	Norton	Parker	Tweed
Genet	Mattoon	O'Donnell	Pierce	Van Petten
Humphrey	Morgan			

12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford
Campbell	Edwards	Hubbard	Nichols	Thayer
Chapman	Folger	Morris	Nicks	Williams
Creamer				

16

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to fix the salaries of the assessors and overseers of poor in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morgan	Stanford	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Assembly bill entitled "An act to amend the charter of the International Company of the city of New York," was read a third

time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hale	Nichols	Stanford	
Folger	Hubbard	Nicks	Tweed	
Genet	Mattoon	O'Donnell	Van Petten	
Graham	Morris	Parker	Williams	20

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and adjournment.

Bill entitled "An act to increase the salaries of the judges of the Supreme Court, and of the justices of the Supreme Court, hereafter to be appointed by the Clerk of the Court of Appeals, and of the reporter of the Court of Appeals," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and a majority of said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Graham	Murphy	Stanford	
Crowley	Hubbard	Norton	Tweed	
Edwards	Mattoon	Pierce	Williams	
Genet	Morris			18

FOR THE NEGATIVE.

Folger	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	10

That the Clerk deliver said bill to the Assembly, and request a concurrence therein.

Assembly bill entitled "An act to incorporate the Lordville and Edgebridge Company," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and a majority of said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Mattoon	Parker	
Creamer	Hubbard	Morgan	Thayer	
Edwards	Humphrey	Nicks	Van Petten	
Folger	Kennedy	Norton	Williams	
Graham				22

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and adjournment.

Mr. Folger moved to take from the table the motion to reconsider the passage of the bill entitled "An act to authorize the Smith & Parmelee Company to issue a preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Thayer
Beach	Folger	Humphrey	Nicks	Tweed
Bradley	Graham	Kennedy	Norton	Van Petten
Cauldwell	Hale	Mattoon	Stanford	19

FOR THE NEGATIVE.

Campbell	Chapman	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to reorganize the board of water and sewerage commissioners of the city of Brooklyn, and to provide for the repaving, repairing and cleaning the streets of said city by said board," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Beach	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	O'Donnell	Tweed
Creamer	Hubbard	Murphy	Parker	Van Petten
				25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act to incorporate the Oswego fire department of the city of Oswego,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Pierce
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Morris		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

to incorporate Tiger Hose Company No. 1, of the city of

amend an act entitled 'An act to amend and consolidate the village of Le Roy,' passed April 6, 1857."

to release to Susan Quinn the interest of the people of the city of New York in certain lands of which John Quinn died seized."

That the Clerk return said bills to the Assembly.

ably returned the following entitled bill, with a message that occurred in the passage of the same without amendment:

to authorize the trustees of the village of Kinderhook, in the county of Columbia, to raise money by tax to pay for fire alarm bell and

That the Clerk deliver said bill to the Governor.

man moved to rescind so much of the resolution heretofore adopted relates to the hours of meeting of the Senate, in the words following: "to meet again at 4 o'clock P. M."

gent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

er moved that the Senate resolve itself into a committee of the whole on the bill entitled "An act to provide for the appointment of a certain number of notaries public in the city of New York."

gent put the question whether the Senate would agree to said bill, and it was decided in the affirmative, two-thirds of all the Senators voting in favor thereof.

the then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

the time spent therein the President resumed the chair, and the bill, from said committee, reported that they have made some amendments to said bill, and amended the title by adding thereto the words "and also in the several Assembly districts of the State," and as amended its passage.

ous, consent the rules were suspended, and said bill read a

gent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Creamer	Hale	Morgan	Pierce
Crowley	Hubbard	Morris	Thayer
Edwards	Humphrey	Nicks	Tweed
Genet	Kennedy	Norton	Van Petten
Graham	Mattoon	Parker	Williams

26

FOR THE NEGATIVE.

1

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

er moved to take from the table the motion to reconsider the bill, and the final passage of the bill entitled "An act to facilitate the travel of passengers and their baggage in the cities of New York, and to incorporate the 'Passenger Transit Company.'"

gent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach

Genet

2

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Campbell	Edwards	Humphrey	Nichols	Tweed
Cauldwell	Folger	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	O'Donnell	Williams
Creamer	Hale	Morgan	Parker	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy moved that the several claim bills, now upon the general orders, be made the special order for to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to amend the charter of the city of Ogdensburgh."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported that they have made some amendments to the last named bill, and substituted the Assembly bill of same title therefor, and as amended recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of 2 o'clock having arrived, the Senate adjourned.

FRIDAY, APRIL 2, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Pierce presented two remonstrances of citizens of Brooklyn, against sale of lands by Prospect park commissioners, which were read and referred to the committee on municipal affairs.

presented a petition of residents and tax-payers in vicinity Morris square, which was read and referred to the committee on affairs.

Snell presented two remonstrances of citizens of Carthage, in relation to the modification of Excise law, which were read and referred to the committee on the whole.

From the committee on claims, to which was referred the bill "An act for the relief of John F. Hosch, assignee of Samuel Hosch," reported adversely thereto.

Petten moved to lay the question agreeing to the report of the committee upon the table.

President put the question whether the Senate would agree to said bill upon the table, and it was decided in the affirmative.

From the committee on the judiciary, to which was referred the bill "An act in relation to appeals by receivers, stockholders and officers of corporations," reported in favor of the passage of the bill. The bill was committed to the committee of the whole.

Phrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to repeal chapter 100 of the laws of 1863, in relation to the inspection of steam boilers in the State of New York," reported the same to the committee for its consideration.

Phrey moved to recommit said bill to the committee on commerce and navigation, to retain its place on general orders.

President put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

Phrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act in relation to the qualifications, duties and powers of the health officer for the city and port of New York, passed April 29th, 1863," reported the same to the committee for its consideration.

Phrey moved to disagree with the report of the committee, and the bill was committed to the committee of the whole.

Phrey moved to amend, that said bill be recommitted to the committee on commerce and navigation.

President put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

President then put the question whether the Senate would agree to the report of Mr. Creamer, as amended, and it was decided in the affirmative.

From the committee on State prisons, to which was referred the Assembly bill entitled "An act to settle the claim of Thomas D. O'Brien, former clerk of Clinton prison," reported adversely thereto, and the bill was agreed to and said bill rejected.

That the Clerk return said bill to the Assembly, with a message stating that the Senate have non-concurred in the passage of the bill.

From the committee on the judiciary, to which was referred the bill "An act in relation to lands devised by Thomas O'Brien," reported adversely thereto, which report was agreed to and the bill rejected.

From the committee on the judiciary, to which was referred the bill "An act relative to the collection of taxes in the town of St. Lawrence," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the making and keeping of books of general indices by county clerks and by the register of the city and county of New York," reported adversely thereto.

Mr. Kennedy moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the fees of trustees in certain cases," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the sale of infants' real estate in the case of the children of Benjamin Curtia, and to extend the jurisdiction of the courts in the case of the will of Philander Curtia, late of the town of Parma, Monroe county, deceased," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize parties to loan money on landed security, and to pay any rate of interest agreed upon not exceeding ten per cent per annum," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Mary Robertson and others, for indemnity for lands at Rouse's Point ceded to the United States, reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioners be denied.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Rice Lewis of West Turin, Lewis county, certain lands in this State, and to authorize him to hold the same and take out letters of administration and administer on the estate of Morris Lewis deceased," reported that they have made some amendments thereto and amended the title so as to read "An act to release to Rice Lewis and Ann Lewis the right of the people of the State of New York to certain real estate, situated in this State, of which Morris Lewis died

as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to incorporate the Albany Board of Lumber," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to release the interest of the people of New York of, in and to certain real estate to Richard White, [redacted], James White and Samuel White," reported adversely.

Mr. [redacted] moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said bill upon the table, and it was decided in the affirmative.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to amend section 4 of title 3 of chapter 22 of the Revised Statutes, relative to wills and the appointments of administrators by surrogates," reported adversely thereto, which was agreed to and said bill rejected.

That the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the same.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of surrogates," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to change the name of the Mead Rubber Company to the Star Rubber Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to incorporate the Buffalo Turnpike," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to incorporate the Independent Turnpike of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to confirm the official acts of Robert [redacted] of the poor of the town of Steuben, in the county of [redacted]," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. [redacted], from the committee on the judiciary, to which was referred a bill entitled "An act to release the interest of the people of New York of, in and to certain real estate situated in the [redacted] and county of Westchester, to Frederick E. Dyck," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. [redacted], from a majority of the committee on the judiciary, to

which was referred the bill entitled "An act in relation to the fees of the clerk of the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16th, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the election of a receiver of taxes and assessments for the town of Cortlandt and the village of Peekskill," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the removal of the dead from the Congregational Church burying grounds in the village of Middletown, in the county of Orange," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843, and to enlarge its powers."

"An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857."

"An act for the relief of John Edwards."

"An act to amend an act entitled 'An act to incorporate the West-Side Savings Bank, to be located in the city of New York,' passed May 19, 1868."

"An act to incorporate the East-Side Savings Bank of Rochester."

"An act for the more effectual suppression and punishment of bribery."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1, 1854.'"

"An act relating to the legislative printing, and to exclude, in printing, superfluous matter."

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts of the board of trustees of the village of Rome in determining the terms of office of the trustees of said village," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act incorporating the village of Phoenix, in the county of Oswego," reported in favor of

of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed May 26, 1866, and for the purpose of securing a supply of pure water for the use of said village,' passed May 4, 1868, and designating the officers of construction to carry the same into effect," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend 'An act to incorporate the village of Rushville,' passed April 24, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Deley, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to authorize the common council of the village of Newburgh to lay out and open certain streets in said city and to acquire the lands of the Big Rock Cemetery Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Deley, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to provide for laying out, grading and improving certain public streets in the village of Flushing, Erie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the village of Akron, Erie county,' passed March 7, 1847," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on literature, to which was referred an Assembly bill entitled "An act to incorporate the trustees of the village of Newburgh library," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on literature, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed March 18, 1857, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Deley, from the committee on literature, to which was referred an Assembly bill entitled "An act for the benefit of the union school in the village of Newburgh, N. Y., passed 1862," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on literature, to which was referred an Assembly bill entitled "An act to define the boundaries of union free schools in the town of Cortlandt, county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Deley, from the committee on literature, to which was referred an Assembly bill entitled "An act to establish free schools in district No. 1 of the town of Cortlandt, county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

5, in the town of Flushing, passed March 10th, 1848," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend an act entitled 'An act to establish free schools in district No. 5, in the town of Flushing,' passed March 10th, 1858," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a free school in district No. 5, town of Oyster Bay, Queens county,' passed April 15, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Augustus Ivins and others, for the amendment of an act passed May 19, 1868, relating to Bushwick avenue, reported by bill entitled "An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, Kings county,' passed May 19th, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's dock, in the said town of Lumberland," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon Depot turnpike road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to plankroads and turnpike roads," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the city and town of Binghamton to purchase the two toll-bridges across the Susquehanna river at Binghamton, and to maintain them as free bridges," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the Coeymans and Westerlo plankroad, the Union turnpike road and the Westerlo turn-

the county of Albany," reported in favor of the passage of said bill was committed to the committee of the whole. The committee, from the select committee of nine, reported the following complete:

"An act relating to the bridges across the Mohawk river at

for the protection of bridges over the Chemung river in the county of Steuben."

to amend an act entitled 'An act to authorize the formation of a company for manufacturing, mining, mechanical or chemical purposes,' passed January 17, 1848."

to provide for enforcing the liens of inn keepers, boarding houses, mechanics, workmen or bailees, upon chattel property."

"An act to authorize the completion and maintaining the Rock street in the village of Yonkers to the city of New York, Kingsbridge in the town of Yonkers."

"An act providing for the taking of affidavits in other States, in this State, and authorizing attorneys of courts of record in this State to take affidavits to be used in such courts."

authorizing the raising of money to build and maintain a bridge over the river at East Portchester, in the county of Westchester."

extending the time for the Schenectady and Utica Railway to begin the construction of its road."

"An act to authorize the Cazenovia and Canastota Railroad to take increased fare on their road."

"An act to amend an act entitled 'An act to amend the act to provide for the establishment of free schools in the town of Newburgh,' passed April 6, 1852, passed March 7, 1865."

to incorporate the United States Railroad Conductors' Life Insurance Company."

to amend chapter 531 of the Laws of 1866, entitled 'An act to amend section 144 of the Laws of 1865, entitled 'An act to incorporate the Order of Odd Fellows of the Independent Order of Odd Fellows of the State of New York, in the village of Albion, in the county of Orleans.'"

in relation to the 'Homœopathic Medical College of the State of New York,' in New York city."

to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage their real and personal property of said company to secure said preference."

to revive and continue in force an act entitled 'An act to amend an act to authorize a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the act passed May 11, 1867."

to incorporate 'The New York Seamen's Association.'"

to incorporate the Harlem Yacht Club."

to incorporate the Port Morris Warehouse and Elevator Com-

"An act to authorize Danford Mott to establish and maintain a ferry across Lake Champlain at Rouse's Point, in the town of Clinton."

"An act making the waters of Harrison creek, in the town of St. Lawrence county, a public highway."

"An act to amend the charter of the First National Elec-

tic Assurance Society of the United States, and to change its corporate name."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867."

"An act to incorporate the village of Port Henry."

"An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of Chautauqua,' passed April 17, 1857."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859."

"An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water."

Assembly, "An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung."

Assembly, "An act to authorize the city of Troy to borrow money."

Assembly, "An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county."

Assembly, "An act to incorporate Rescue Hook and Ladder Company No. 1, of the village of Bath."

Assembly, "An act to incorporate the village of Williamsville."

"An act extending the term of service of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of three years."

Assembly, "An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county."

"An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes."

"An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to authorize the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

Assembly, "An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the execution and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village."

"An act relating to the House of Mercy, New York."

"An act to increase the powers of the Sisterhood of Saint Mary, a corporation."

Assembly, "An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and

powers of their trustees, and to provide for the government of said corporation."

to authorize the Whitehall and Plattsburgh Railroad Company to increase fare."

to amend the charter of the Guardian Savings Institution."

"An act to amend an act entitled 'An act to authorize a tax on the town of Constable to build or purchase a town house,' passed March 21, 1846."

"An act to authorize the commissioners of public charities of the city of New York to establish an industrial school and, and for other purposes."

Mr. Ward moved to recommit from said report the bill entitled to amend an act entitled 'An act to consolidate and amend the act relating to the village of Sherburne, and to enlarge the powers of incorporation of said village,' passed March 18, 1859," to the whole.

Mr. Ward put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

Mr. Ward moved that the report be adopted, with the exception of the following:

to amend the term of service of the physician to the jail of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of

"An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor."

Mr. Ward put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

That said bill be engrossed for a third reading.

Mr. Ward moved to lay the question agreeing to the report of the board on said Kings county bills upon the table.

Mr. Ward put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

The bill from the Assembly was received and read, in the words

IN ASSEMBLY, *March 31, 1869.*

Mr. Ward having returned the bill entitled "An act to constitute the town of Southampton and that part of the town of East Hampton within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district under the name of 'The Sag Harbor Railroad district,' and to authorize the said district to borrow for the purpose of aiding the Long Island Railroad Company to construct a branch railroad through said town of Southampton," a resolution of the Assembly, and the vote on the final passage having been reconsidered, on motion of Mr. Conant and by the consent said bill was amended as follows:

to add after the enacting clause and insert the following:

1. It shall be lawful for the supervisor of the town of Southampton, to borrow, on the faith and credit of the said town, any sum or sums of money, not exceeding in the aggregate one hundred and twenty-five thousand dollars, as may be required to fully carry out the terms of agreements made on the 24th day of November, 1868, between the Long Island Railroad Company and Hannibal French

to Port Jervis, Orange county,' passed May 4, 1868," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	Parker	Tweed
Cauldwell	Graham	Mattoon	Pierce	Van Petten
Chapman	Hale	Morris	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Banks moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the diocese of Albany."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

On motion of Mr. Banks and by unanimous consent, said bill was amended by striking out the name of "F. J. Fitch," in section 1.

Also, strike out "six" and insert "five" in section 2.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Norton
Campbell	Folger	Humphrey	Murphy	Parker
Cauldwell	Graham	Kennedy	Nichols	Stanford
Creamer	Hale	Mattoon	Nicks	Thayer

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the village of Piermont, in the county of Rockland,' passed March 30, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce
Beach	Creamer	Hubbard	Nichols	Stanford
Campbell	Edwards	Humphrey	O'Donnell	Van Petten
Cauldwell	Genet	Kennedy	Parker	

10

FOR THE NEGATIVE.

Folger

1

that the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and report.

Mr. Pettet moved to take from the table the bill entitled "An act to enlarge the powers and define the duties of the Contracting Board," passed April 15, 1854; also an act entitled "An act to enlarge the powers and define the duties of the Contracting Board," passed March 14, 1857, and to repeal the act entitled "An act to enlarge the powers and define the duties of the Contracting Board," passed March 14, 1857, passed April 23, 1857, and to define the method in which the repairs of the canals shall be conducted."

Mr. Pettet put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

Mr. Pettet having been announced for a third reading,

Mr. Pettet moved to recommit said bill to the committee on canals with instructions to amend the same by striking out sections 1 and 2, and inserting "third," and the words in line 3 of section 4, "and dated the 1st day of December, 1866," and sections 8 and 9.

Mr. Pettet put the question whether the Senate would agree to said bill, and it was decided in the negative.

Mr. Pettet moved to recommit with instructions to amend section 1 by striking out the words "Commissioners of the Canal Fund," and inserting "Auditor of the Canal Department."

Mr. Pettet put the question whether the Senate would agree to said bill, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Kennedy	Morgan	O'Donnell	Van Petten	
Mattoon	Nicks	Parker		9

FOR THE NEGATIVE.

Edwards	Hale	Nichols	Thayer	
Folger	Hubbard	Norton	Tweed	
Genet	Morris	Pierce	Williams	
Graham	Murphy	Stanford		19

Mr. Pettet moved to recommit said bill to the committee on canals, with instructions to strike out the words "Canal Commissioners" wherever they occur in the first section, and inserting "Canal Board."

Mr. Pettet put the question whether the Senate would agree to said bill, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Murphy	Pierce	
Genet	Morris	Norton	Tweed	10

FOR THE NEGATIVE.

Hale	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	
Kennedy	Nicks	Stanford	Williams	
Mattoon				17

Mr. Pettet then read a third time.

Mr. Pettet put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of two-thirds.

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Morris	Nicks	Thayer
Campbell	Folger	Murphy	O'Donnell	Williams
Chapman	Hale			

17

FOR THE NEGATIVE.

Creamer	Humphrey	Morgan	Parker	Tweed
Genet	Kennedy	Norton	Pierce	Van Petten
Graham	Mattoon			

12

Mr. Morgan moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Humphrey	Norton	Pierce	Tweed
Genet	Morgan	Parker		

8

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Campbell	Edwards	Kennedy	Nicks	Van Petten
Chapman	Folger	Morris	O'Donnell	Williams
Creamer	Hale	Murphy	Stanford	

19

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kennedy	Norton	Parker	Tweed
Genet	Mattoon	O'Donnell	Pierce	Van Petten
Humphrey	Morgan			

12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford
Campbell	Edwards	Hubbard	Nichols	Thayer
Chapman	Folger	Morris	Nicks	Williams
Creamer				

16

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to fix the salaries of the assessors and overseers of poor in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morgan	Stanford	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Assembly bill entitled "An act to amend the charter of the Insurance Company of the city of New York," was read a third

time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hale	Nichols	Stanford	
Folger	Hubbard	Nicks	Tweed	
Genet	Mattoon	O'Donnell	Van Petten	
Graham	Morris	Parker	Williams	20

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and the bill passed.

Next day a bill entitled "An act to increase the salaries of the judges of the Court of Appeals, and of the justices of the Supreme Court, hereafter to be appointed to the Clerk of the Court of Appeals, and of the reporter of the Court of Appeals," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and the bill passed.

FOR THE AFFIRMATIVE.

Creamer	Graham	Murphy	Stanford	
Crowley	Hubbard	Norton	Tweed	
Edwards	Mattoon	Pierce	Williams	
Genet	Morris			18

FOR THE NEGATIVE.

Folger	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	10

That the Clerk deliver said bill to the Assembly, and request the concurrence therein.

Next day a bill entitled "An act to incorporate the Lordville and Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and the bill passed.

FOR THE AFFIRMATIVE.

Chapman	Hale	Mattoon	Parker	
Creamer	Hubbard	Morgan	Thayer	
Edwards	Humphrey	Nicks	Van Petten	
Folger	Kennedy	Norton	Williams	
Graham				22

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and the bill passed.

Next day the President moved to take from the table the motion to reconsider the passage of the bill entitled "An act to authorize the Smith & Parmelee Company to issue a preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Thayer
Beach	Folger	Humphrey	Nicks	Tweed
Bradley	Graham	Kennedy	Norton	Van Petten
Cauldwell	Hale	Mattoon	Stanford	

19

FOR THE NEGATIVE.

Campbell Chapman

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to reorganize the board of water and sewerage commissioners of the city of Brooklyn, and to provide for the repaving, repairing and cleaning the streets of said city by said board," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Beach	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	O'Donnell	Tweed
Creamer	Hubbard	Murphy	Parker	Van Petten

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act to incorporate the Oswego fire department of the city of Oswego,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Pierce
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

to incorporate Tiger Hose Company No. 1, of the city of

to amend an act entitled 'An act to amend and consolidate the
village of Le Roy,' passed April 6, 1857."

to release to Susan Quinn the interest of the people of the
village of Le Roy in certain lands of which John Quinn died seized."

That the Clerk return said bills to the Assembly.

Assembly returned the following entitled bill, with a message that
incurred in the passage of the same without amendment:

to authorize the trustees of the village of Kinderhook, in the
village of Kinderhook, to raise money by tax to pay for fire alarm bell and

That the Clerk deliver said bill to the Governor.

man moved to rescind so much of the resolution heretofore
relates to the hours of meeting of the Senate, in the words fol-
lowing: "to meet again at 4 o'clock P. M."

President put the question whether the Senate would agree to said
it was decided in the affirmative.

man moved that the Senate resolve itself into a committee of
upon the bill entitled "An act to provide for the appointment

of a certain number of notaries public in the city of New York."

President put the question whether the Senate would agree to said
it was decided in the affirmative, two-thirds of all the Sena-

voting in favor thereof.

Senate then resolved itself into a committee of the whole, and pro-
ceed to the consideration of said bill.

At the time spent therein the President resumed the chair, and
the President, from said committee, reported that they have made some

amendment to said bill, and amended the title by adding thereto the
words "and also in the several Assembly districts of the State," and as

to commend its passage.

On the unanimous consent the rules were suspended, and said bill read a

President put the question whether the Senate would agree to
the passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Creamer	Hale	Morgan	Pierce
Crowley	Hubbard	Morris	Thayer
Edwards	Humphrey	Nicks	Tweed
Genet	Kennedy	Norton	Van Petten
Graham	Mattoon	Parker	Williams

26

FOR THE NEGATIVE.

1

That the Clerk deliver said bill to the Assembly, and request
its passage therein.

man moved to take from the table the motion to reconsider the
the final passage of the bill entitled "An act to facilitate the

of passengers and their baggage in the cities of New York
and to incorporate the 'Passenger Transit Company.'"

President put the question whether the Senate would agree to said
motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach

Genet

2

FOR THE NEGATIVE.

Banks

Crowley

Hubbard

Morris

Pierce

Campbell

Edwards

Humphrey

Nichols

Tweed

Cauldwell

Folger

Kennedy

Nicks

Van Petten

Chapman

Graham

Mattoon

O'Donnell

Williams

Creamer

Hale

Morgan

Parker

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy moved that the several claim bills, now upon the general orders, be made the special order for to morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to amend the charter of the city of Ogdensburgh."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported that they have made some amendments to the last named bill, and substituted the Assembly bill of same title therefor, and as amended recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of 2 o'clock having arrived, the Senate adjourned.

FRIDAY, APRIL 2, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Pierce presented two remonstrances of citizens of Brooklyn, against sale of lands by Prospect park commissioners, which were read and referred to the committee on municipal affairs.

presented a petition of residents and tax-payers in vicinity of Morris square, which was read and referred to the committee on affairs.

Wells presented two remonstrances of citizens of Carthage, in relation to Excise law, which were read and referred to the committee of the whole.

Report from the committee on claims, to which was referred the bill "An act for the relief of John F. Hosch, assignee of Samuel Hosch," reported adversely thereto.

Wells moved to lay the question agreeing to the report of the committee upon the table.

Wells put the question whether the Senate would agree to said bill upon the table, and it was decided in the affirmative.

Report from the committee on the judiciary, to which was referred the bill "An act in relation to appeals by receivers, stockholders and corporations," reported in favor of the passage of the bill. The bill was committed to the committee of the whole.

Wells, from the committee on commerce and navigation, reported the Assembly bill entitled "An act to repeal chapter 100 of the laws of 1863, in relation to the inspection of steam boilers in the State of New York," in the Metropolitan police district," reported the same to the committee for its consideration.

Wells moved to recommit said bill to the committee on commerce and navigation, to retain its place on general orders.

Wells put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

Wells, from the committee on commerce and navigation, reported the Assembly bill entitled "An act to amend an act in relation to the qualifications, duties and powers of the health officer for the city and port of New York, passed April 29th, 1863," reported adversely thereto.

Wells moved to disagree with the report of the committee, and the question was decided in the affirmative.

Wells moved to amend, that said bill be recommitted to the committee on commerce and navigation.

Wells put the question whether the Senate would agree to said amendment, and it was decided in the affirmative.

Wells then put the question whether the Senate would agree to the report of Mr. Creamer, as amended, and it was decided in the affirmative.

Report from the committee on State prisons, to which was referred the Assembly bill entitled "An act to settle the claim of Thomas D. Creamer, clerk of Clinton prison," reported adversely thereto, and the bill was agreed to and said bill rejected.

That the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the bill.

Report from the committee on the judiciary, to which was referred the bill "An act in relation to lands devised by Thomas O'Brien," reported adversely thereto, which report was agreed to and the bill rejected.

Report from the committee on the judiciary, to which was referred the bill "An act relative to the collection of taxes in the town of St. Lawrence," reported adversely thereto.

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Morris	Nicks	Thayer
Campbell	Folger	Murphy	O'Donnell	Williams
Chapman	Hale			

17

FOR THE NEGATIVE.

Creamer	Humphrey	Morgan	Parker	Tweed
Genet	Kennedy	Norton	Pierce	Van Petten
Graham	Mattoon			

12

Mr. Morgan moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Humphrey	Norton	Pierce	Tweed
Genet	Morgan	Parker		

8

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Campbell	Edwards	Kennedy	Nicks	Van Petten
Chapman	Folger	Morris	O'Donnell	Williams
Creamer	Hale	Murphy	Stanford	

19

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kennedy	Norton	Parker	Tweed
Genet	Mattoon	O'Donnell	Pierce	Van Petten
Humphrey	Morgan			

12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford
Campbell	Edwards	Hubbard	Nichols	Thayer
Chapman	Folger	Morris	Nicks	Williams
Creamer				

16

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to fix the salaries of the assessors and overseers of poor in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morgan	Stanford	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Assembly bill entitled "An act to amend the charter of the Insurance Company of the city of New York," was read a third

time. The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hale	Nichols	Stanford	
Folger	Hubbard	Nicks	Tweed	
Genet	Mattoon	O'Donnell	Van Petten	
Graham	Morris	Parker	Williams	20

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and report thereon.

Assembly bill entitled "An act to increase the salaries of the judges of the Court of Appeals, and of the justices of the Supreme Court, hereafter to be appointed to the Clerk of the Court of Appeals, and of the reporter of the Court of Appeals," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and a majority of all the members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Graham	Murphy	Stanford	
Crowley	Hubbard	Norton	Tweed	
Edwards	Mattoon	Pierce	Williams	
Genet	Morris			18

FOR THE NEGATIVE.

Folger	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	10

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

Assembly bill entitled "An act to incorporate the Lordville and Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and a majority of all the members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Mattoon	Parker	
Creamer	Hubbard	Morgan	Thayer	
Edwards	Humphrey	Nicks	Van Petten	
Folger	Kennedy	Norton	Williams	
Graham				22

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and report thereon.

The President moved to take from the table the motion to reconsider the passage of the bill entitled "An act to authorize the Smith & Parmelee Company to issue a preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Thayer	
Beach	Folger	Humphrey	Nicks	Tweed	
Bradley	Graham	Kennedy	Norton	Van Petten	19
Candwell	Hale	Mattoon	Stanford		

FOR THE NEGATIVE.

Campbell	Chapman				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to reorganize the board of water and sewerage commissioners of the city of Brooklyn, and to provide for the repaving, repairing and cleaning the streets of said city by said board," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Genet	Kennedy	Nicks	Stanford	
Campbell	Graham	Morgan	Norton	Thayer	
Candwell	Hale	Morris	O'Donnell	Tweed	
Creamer	Hubbard	Murphy	Parker	Van Petten	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act to incorporate the Oswego fire department of the city of Oswego,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Pierce	
Bradley	Edwards	Kennedy	Norton	Stanford	
Campbell	Folger	Mattoon	O'Donnell	Tweed	
Candwell	Graham	Morgan	Parker	Van Petten	
Chapman	Hale	Morris			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

to incorporate Tiger Hose Company No. 1, of the city of

to amend an act entitled 'An act to amend and consolidate the village of Le Roy,' passed April 6, 1857."

to release to Susan Quinn the interest of the people of the New York in certain lands of which John Quinn died seized."

That the Clerk return said bills to the Assembly.

Assembly returned the following entitled bill, with a message that occurred in the passage of the same without amendment:

to authorize the trustees of the village of Kinderhook, in the Columbia, to raise money by tax to pay for fire alarm bell and

That the Clerk deliver said bill to the Governor.

man moved to rescind so much of the resolution heretofore relates to the hours of meeting of the Senate, in the words following: "meet again at 4 o'clock P. M."

gent put the question whether the Senate would agree to said it was decided in the affirmative.

ner moved that the Senate resolve itself into a committee of upon the bill entitled "An act to provide for the appointment of a certain number of notaries public in the city of New York."

gent put the question whether the Senate would agree to said it was decided in the affirmative, two-thirds of all the Senate voting in favor thereof.

he then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

the time spent therein the President resumed the chair, and the bill, from said committee, reported that they have made some amendments to said bill, and amended the title by adding thereto the words "and also in the several Assembly districts of the State," and as amended commend its passage.

uous consent the rules were suspended, and said bill read a

gent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Creamer	Hale	Morgan	Pierce
Crowley	Hubbard	Morris	Thayer
Edwards	Humphrey	Nicks	Tweed
Genet	Kennedy	Norton	Van Petten
Graham	Mattoon	Parker	Williams

26

FOR THE NEGATIVE.

1

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

ner moved to take from the table the motion to reconsider the final passage of the bill entitled "An act to facilitate the passage of passengers and their baggage in the cities of New York, and to incorporate the 'Passenger Transit Company.'"

gent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach

Genet

2

FOR THE NEGATIVE.

Banks

Crowley

Hubbard

Morris

Pierce

Campbell

Edwards

Humphrey

Nichols

Tweed

Cauldwell

Folger

Kennedy

Nicks

Van Petten

Chapman

Graham

Mattoon

O'Donnell

Williams

Creamer

Hale

Morgan

Parker

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy moved that the several claim bills, now upon the general orders, be made the special order for to morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to amend the charter of the city of Ogdensburgh."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported that they have made some amendments to the last named bill, and substituted the Assembly bill of same title therefor, and as amended recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of 2 o'clock having arrived, the Senate adjourned.

FRIDAY, APRIL 2, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Pierce presented two remonstrances of citizens of Brooklyn, against sale of lands by Prospect park commissioners, which were read and referred to the committee on municipal affairs.

presented a petition of residents and tax-payers in vicinity of this square, which was read and referred to the committee on claims.

Mr. [] presented two remonstrances of citizens of Carthage, against the operation of Excise law, which were read and referred to the committee on the whole.

From the committee on claims, to which was referred the bill for an act for the relief of John F. Hosch, assignee of Samuel [], reported adversely thereto.

Mr. [] then moved to lay the question agreeing to the report of the committee upon the table.

Mr. [] then put the question whether the Senate would agree to said bill, as reported, and it was decided in the affirmative.

From the committee on the judiciary, to which was referred the bill "An act in relation to appeals by receivers, stockholders of corporations," reported in favor of the passage of the bill, was committed to the committee of the whole.

Mr. [], from the committee on commerce and navigation, reported the Assembly bill entitled "An act to repeal chapter [] of the laws relating to the inspection of steam boilers in the State of New York," reported the same to the committee on the whole for its consideration.

Mr. [] moved to recommit said bill to the committee on commerce and navigation to retain its place on general orders.

Mr. [] then put the question whether the Senate would agree to said bill, as reported, and it was decided in the affirmative.

Mr. [], from the committee on commerce and navigation, reported the Assembly bill entitled "An act to amend an act relating to the qualifications, duties and powers of the health officer for the city and port of New York, passed April 29th, 1863," reported the same to the committee on the whole for its consideration.

Mr. [] moved to disagree with the report of the committee, and to commit the bill to the committee of the whole.

Mr. [] moved to amend, that said bill be recommitted to the committee on commerce and navigation.

Mr. [] then put the question whether the Senate would agree to said bill, as amended, and it was decided in the affirmative.

Mr. [] then put the question whether the Senate would agree to said bill, as amended, and it was decided in the affirmative.

From the committee on State prisons, to which was referred the bill entitled "An act to settle the claim of Thomas D. [], former clerk of Clinton prison," reported adversely thereto, was agreed to and said bill rejected.

Mr. [] then moved that the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the bill.

From the committee on the judiciary, to which was referred the bill "An act in relation to lands devised by Thomas O'Brien," reported adversely thereto, which report was agreed to and said bill rejected.

From the committee on the judiciary, to which was referred the bill "An act relative to the collection of taxes in the town of [] in the county of St. Lawrence," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the making and keeping of books of general indices by county clerks and by the register of the city and county of New York," reported adversely thereto.

Mr. Kennedy moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the fees of trustees in certain cases," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the sale of infants' real estate in the case of the children of Benjamin Curtis, and to extend the jurisdiction of the courts in the case of the will of Philander Curtis, late of the town of Parma, Monroe county, deceased," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize parties to loan money on landed security, and to pay any rate of interest agreed upon not exceeding ten per cent per annum," reported adversely thereto; which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Mary Robertson and others, for indemnity for lands at Rouse's Point ceded to the United States, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Rice Lewis of West Turin, Lewis county, certain lands in this State, and to authorize him to hold the same and take out letters of administration and administer on the estate of Morris Lewis deceased," reported that they have made some amendments thereto and amended the title so as to read "An act to release to Rice Lewis and Ann Lewis the right of the people of the State of New York to certain real estate, situated in this State, of which Morris Lewis died

was amended recommend its passage; said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to incorporate the Albany Board of Lumber" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to release the interest of the people of New York of, in and to certain real estate to Richard White, Jr., James White and Samuel White," reported adversely

moved to lay the question agreeing to the report of the committee on the table.

the Senate put the question whether the Senate would agree to said bill on the table, and it was decided in the affirmative.

from the committee on the judiciary, to which was referred bill entitled "An act to amend section 4 of title 3 of chapter 1 of the Revised Statutes, relative to wills and the appointments by surrogates," reported adversely thereto, which was agreed to and said bill rejected.

that the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the

from the committee on the judiciary, to which was referred bill entitled "An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of surrogates," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to change the name of the Mead Rubber Company to the Star Rubber Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to incorporate the Buffalo Turnpike Company" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to incorporate the Independent Turnpike Company of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to confirm the official acts of Robert R. R. of the poor of the town of Steuben, in the county of Steuben," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred bill entitled "An act to release the interest of the people of New York of, in and to certain real estate situated in the town of Landt and county of Westchester, to Frederick E. Dyckman," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

by, from a majority of the committee on the judiciary, to

which was referred the bill entitled "An act in relation to the fees of the clerk of the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16th, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the election of a receiver of taxes and assessments for the town of Cortlandt and the village of Peekskill," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the removal of the dead from the Congregational Church burying grounds in the village of Middletown, in the county of Orange," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843, and to enlarge its powers."

"An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857."

"An act for the relief of John Edwards."

"An act to amend an act entitled 'An act to incorporate the West-Side Savings Bank, to be located in the city of New York,' passed May 19, 1868."

"An act to incorporate the East-Side Savings Bank of Rochester."

"An act for the more effectual suppression and punishment of bribery."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1, 1854.'"

"An act relating to the legislative printing, and to exclude, in printing, superfluous matter."

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts of the board of trustees of the village of Rome in determining the terms of office of the trustees of said village," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act incorporating the village of Phoenix, in the county of Oswego," reported in favor of

of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed May 26, 1866, and for the purpose of securing a supply of pure water for the use of said village,' passed May 4, 1868, and designating the officers of construction to carry the same into effect," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend 'An act to incorporate the village of Rushville,' passed April 24, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. May, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city and to acquire the lands of the Big Rock Cemetery Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. May, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to provide for laying out, grading and improving certain public streets in the village of Flushing, Erie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on municipal affairs, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the village of Akron, Erie county,' passed December 7, 1847," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on literature, to which was referred an Assembly bill entitled "An act to incorporate the trustees of the Newburgh Free Library," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on literature, to which was referred an Assembly bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburg,' passed March 1, 1857, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. May, from the committee on literature, to which was referred an Assembly bill entitled "An act for the benefit of the union school in the town of Westchester, N. Y., passed 1862," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on literature, to which was referred an Assembly bill entitled "An act to define the boundaries of union free schools in district No. 7, in the town of Cortlandt, county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. May, from the committee on literature, to which was referred an Assembly bill entitled "An act to establish free schools in district No. 7, in the town of Cortlandt, county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

5, in the town of Flushing, passed March 10th, 1848," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend an act entitled 'An act to establish free schools in district No. 5, in the town of Flushing,' passed March 10th, 1858," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a free school in district No. 5, town of Oyster Bay, Queens county,' passed April 15, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Augustus Ivins and others, for the amendment of an act passed May 19, 1868, relating to Bushwick avenue, reported by bill entitled "An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, Kings county,' passed May 19th, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's dock, in the said town of Lumberland," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon Depot turnpike road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to plankroads and turnpike roads," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the city and town of Binghamton to purchase the two toll-bridges across the Susquehanna river at Binghamton, and to maintain them as free bridges," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the Coeymans and Westerlo plankroad, the Union turnpike road and the Westerlo turn-

the county of Albany," reported in favor of the passage of said bill was committed to the committee of the whole.
 , from the select committee of nine, reported the following complete:

"An act relating to the bridges across the Mohawk river at

for the protection of bridges over the Chemung river in the
 ng, in the county of Steuben."

amend an act entitled 'An act to authorize the formation of
 for manufacturing, mining, mechanical or chemical purposes,'
 ary 17, 1848."

to provide for enforcing the liens of inn keepers, boarding
 s, mechanics, workmen or bailees, upon chattel property."

"An act to authorize the completion and maintaining the
 ck street in the village of Yonkers to the city of New York,
 ngsbridge in the town of Yonkers."

"An act providing for the taking of affidavits in other States,
 this State, and authorizing attorneys of courts of record in
 take affidavits to be used in such courts."

authorizing the raising of money to build and maintain a bridge
 a river at East Portchester, in the county of Westchester."

extending the time for the Schenectady and Utica Railway
 begin the construction of its road."

"An act to authorize the Cazenovia and Canastota Railroad
 take increased fare on their road."

"An act to amend an act entitled 'An act to amend the act
 act to provide for the establishment of free schools in the
 wburgh,' passed April 6, 1852,' passed March 7, 1865."

to incorporate the United States Railroad Conductors' Life
 mpany."

amend chapter 531 of the Laws of 1866, entitled 'An act to
 er 144 of the Laws of 1865, entitled 'An act to incorporate
 e No. 212, of the Independent Order of Odd Fellows of
 w York, in the village of Albion, in the county of Orleans.'"
 relation to the 'Homœopathic Medical College of the State
 , in New York city."

to authorize the Clipper Mower and Reaper Company to
 r capital stock by an issue of preferred stock, and to mort-
 and personal property of said company to secure said pre-

to revive and continue in force an act entitled 'An act to
 team ferry between the city of Brooklyn and Mott Haven,
 er county,' passed May 13, 1865, and an act amending the
 May 11, 1867."

incorporate 'The New York Seamen's Association.'"

incorporate the Harlem Yacht Club."

incorporate the Port Morris Warehouse and Elevator Com-

"An act to authorize Danford Mott to establish and main-
 across Lake Champlain at Rouse's Point, in the town of
 in the county of Clinton."

"An act making the waters of Harrison creek, in the town
 . Lawrence county, a public highway."

"An act to amend the charter of the First National Eclec-

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Morris	Nicks	Thayer
Campbell	Folger	Murphy	O'Donnell	Williams
Chapman	Hale			

17

FOR THE NEGATIVE.

Creamer	Humphrey	Morgan	Parker	Tweed
Genet	Kennedy	Norton	Pierce	Van Petten
Graham	Mattoon			

12

Mr. Morgan moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Humphrey	Norton	Pierce	Tweed
Genet	Morgan	Parker		

8

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Campbell	Edwards	Kennedy	Nicks	Van Petten
Chapman	Folger	Morris	O'Donnell	Williams
Creamer	Hale	Murphy	Stanford	

19

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kennedy	Norton	Parker	Tweed
Genet	Mattoon	O'Donnell	Pierce	Van Petten
Humphrey	Morgan			

12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford
Campbell	Edwards	Hubbard	Nichols	Thayer
Chapman	Folger	Morris	Nicks	Williams
Creamer				

16

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to fix the salaries of the assessors and overseers of poor in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morgan	Stanford	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

by bill entitled "An act to amend the charter of the International Company of the city of New York," was read a third

ent put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, and the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hale	Nichols	Stanford	
Folger	Hubbard	Nicks	Tweed	
Genet	Mattoon	O'Donnell	Van Petten	
Graham	Morris	Parker	Williams	20

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and report thereon.

entitled "An act to increase the salaries of the judges of the Supreme Court, and of the justices of the Supreme Court, hereafter to be the Clerk of the Court of Appeals, and of the reporter of the Court," was read a third time.

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and the said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Graham	Murphy	Stanford	
Crowley	Hubbard	Norton	Tweed	
Edwards	Mattoon	Pierce	Williams	
Genet	Morris			18

FOR THE NEGATIVE.

Folger	Morgan	O'Donnell	Thayer	
Humphrey	Nichols	Parker	Van Petten	10

That the Clerk deliver said bill to the Assembly, and request the Assembly to pass the same.

by bill entitled "An act to incorporate the Lordville and Edge Company," was read a third time.

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and the said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Mattoon	Parker	
Creamer	Hubbard	Morgan	Thayer	
Edwards	Humphrey	Nicks	Van Petten	
Folger	Kennedy	Norton	Williams	
Graham				22

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and report thereon.

er moved to take from the table the motion to reconsider the passage of the bill entitled "An act to authorize the Smith & Parmelee Company to issue a preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Thayer	
Beach	Folger	Humphrey	Nicks	Tweed	
Bradley	Graham	Kennedy	Norton	Van Petten	
Cauldwell	Hale	Mattoon	Stanford		19

FOR THE NEGATIVE.

Campbell	Chapman				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to reorganize the board of water and sewerage commissioners of the city of Brooklyn, and to provide for the repaving, repairing and cleaning the streets of said city by said board," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Genet	Kennedy	Nicks	Stanford	
Campbell	Graham	Morgan	Norton	Thayer	
Cauldwell	Hale	Morris	O'Donnell	Tweed	
Creamer	Hubbard	Murphy	Parker	Van Petten	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 349 of the Laws of 1855, entitled 'An act to incorporate the Oswego fire department of the city of Oswego,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Pierce	
Bradley	Edwards	Kennedy	Norton	Stanford	
Campbell	Folger	Mattoon	O'Donnell	Tweed	
Cauldwell	Graham	Morgan	Parker	Van Petten	
Chapman	Hale	Morris			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

to incorporate Tiger Hose Company No. 1, of the city of

amend an act entitled 'An act to amend and consolidate the village of Le Roy,' passed April 6, 1857."

to release to Susan Quinn the interest of the people of the York in certain lands of which John Quinn died seized."

That the Clerk return said bills to the Assembly.

ably returned the following entitled bill, with a message that curried in the passage of the same without amendment:

to authorize the trustees of the village of Kinderhook, in the lumbia, to raise money by tax to pay for fire alarm bell and

That the Clerk deliver said bill to the Governor.

man moved to rescind so much of the resolution heretofore plates to the hours of meeting of the Senate, in the words fol-d meet again at 4 o'clock P. M."

ent put the question whether the Senate would agree to said t was decided in the affirmative.

er moved that the Senate resolve itself into a committee of on the bill entitled "An act to provide for the appointment al number of notaries public in the city of New York."

ent put the question whether the Senate would agree to said t was decided in the affirmative, two-thirds of all the Sena-voting in favor thereof.

then resolved itself into a committee of the whole, and pro-consideration of said bill.

time spent therein the President resumed the chair, and l, from said committee, reported that they have made some to said bill, and amended the title by adding thereto the also in the several Assembly districts of the State," and as commend its passage.

ous consent the rules were suspended, and said bill read a

ent put the question whether the Senate would agree to sage of said bill, and it was decided in the affirmative, a l the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Creamer	Hale	Morgan	Pierce
Crowley	Hubbard	Morris	Thayer
Edwards	Humphrey	Nicks	Tweed
Genet	Kennedy	Norton	Van Petten
Graham	Mattoon	Parker	Williams

26

FOR THE NEGATIVE.

1

that the Clerk deliver said bill to the Assembly, and request ence therein.

er moved to take from the table the motion to reconsider the e final passage of the bill entitled "An act to facilitate the f passengers and their baggage in the cities of New York , and to incorporate the ' Passenger Transit Company.' "

ent put the question whether the Senate would agree to said e from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach

Genet

2

FOR THE NEGATIVE.

Banks

Crowley

Hubbard

Morris

Pierce

Campbell

Edwards

Humphrey

Nichols

Tweed

Cauldwell

Folger

Kennedy

Nicks

Van Petten

Chapman

Graham

Mattoon

O'Donnell

Williams

Creamer

Hale

Morgan

Parker

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Kennedy moved that the several claim bills, now upon the general orders, be made the special order for to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to amend the charter of the city of Ogdensburgh."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported that they have made some amendments to the last named bill, and substituted the Assembly bill of same title therefor, and as amended recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The hour of 2 o'clock having arrived, the Senate adjourned.

FRIDAY, APRIL 2, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Pierce presented two remonstrances of citizens of Brooklyn, against sale of lands by Prospect park commissioners, which were read and referred to the committee on municipal affairs.

presented a petition of residents and tax-payers in vicinity Morris square, which was read and referred to the committee on affairs.

nell presented two remonstrances of citizens of Carthage, in relation to the Excise law, which were read and referred to the committee of the whole.

from the committee on claims, to which was referred the bill "An act for the relief of John F. Hosch, assignee of Samuel Hosch," reported adversely thereto.

then moved to lay the question agreeing to the report of the committee upon the table.

then put the question whether the Senate would agree to said bill upon the table, and it was decided in the affirmative.

from the committee on the judiciary, to which was referred the bill "An act in relation to appeals by receivers, stockholders and bondholders of corporations," reported in favor of the passage of the bill, and the bill was committed to the committee of the whole.

Shrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to repeal chapter 100 of the laws of 1862, in relation to the inspection of steam boilers in the State of New York," reported the same to the committee of the whole for its consideration.

then moved to recommit said bill to the committee on commerce and navigation, to retain its place on general orders.

then put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

Shrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act in relation to the qualifications, duties and powers of the health officer for the city and port of New York, passed April 29th, 1863," reported the same to the committee of the whole.

then moved to disagree with the report of the committee, and to commit the bill to the committee of the whole.

then moved to amend, that said bill be recommitted to the committee on commerce and navigation.

then put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

then put the question whether the Senate would agree to the report of Mr. Creamer, as amended, and it was decided in the affirmative.

from the committee on State prisons, to which was referred the Assembly bill entitled "An act to settle the claim of Thomas D. O'Brien, former clerk of Clinton prison," reported adversely thereto, and the bill was agreed to and said bill rejected.

That the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the bill.

from the committee on the judiciary, to which was referred the bill "An act in relation to lands devised by Thomas O'Brien," reported adversely thereto, which report was agreed to and the bill rejected.

from the committee on the judiciary, to which was referred the bill "An act relative to the collection of taxes in the town of the county of St. Lawrence," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the making and keeping of books of general indices by county clerks and by the register of the city and county of New York," reported adversely thereto.

Mr. Kennedy moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the fees of trustees in certain cases," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the sale of infants' real estate in the case of the children of Benjamin Curtis, and to extend the jurisdiction of the courts in the case of the will of Philander Curtis, late of the town of Parma, Monroe county, deceased," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize parties to loan money on landed security, and to pay any rate of interest agreed upon not exceeding ten per cent per annum," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Mary Robertson and others, for indemnity for lands at Rouse's Point ceded to the United States, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Rice Lewis of West Turin, Lewis county, certain lands in this State, and to authorize him to hold the same and take out letters of administration and administer on the estate of Morris Lewis deceased," reported that they have made some amendments thereto and amended the title so as to read "An act to release to Rice Lewis and Ann Lewis the right of the people of the State of New York to certain real estate, situated in this State, of which Morris Lewis died

y, from a majority of the committee on the judiciary, to

which was referred the bill entitled "An act in relation to the fees of the clerk of the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16th, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed stated his dissent from said report, and requested that the same be entered upon the journal.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the election of a receiver of taxes and assessments for the town of Cortlandt and the village of Peekskill," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the removal of the dead from the Congregational Church burying grounds in the village of Middletown, in the county of Orange," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843, and to enlarge its powers."

"An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857."

"An act for the relief of John Edwards."

"An act to amend an act entitled 'An act to incorporate the West-Side Savings Bank, to be located in the city of New York,' passed May 19, 1868."

"An act to incorporate the East-Side Savings Bank of Rochester."

"An act for the more effectual suppression and punishment of bribery."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1, 1854.'"

"An act relating to the legislative printing, and to exclude, in printing, superfluous matter."

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts of the board of trustees of the village of Rome in determining the terms of office of the trustees of said village," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act incorporating the village of Phoenix, in the county of Oswego," reported in favor of

of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed May 26, 1868, and for the purpose of securing a supply of pure water for the use of said village,' passed May 4, 1868, and designating the mode of construction to carry the same into effect," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend 'An act to incorporate the village of Rushville,' passed April 24, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city and to purchase lands of the Big Rock Cemetery Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for laying out, grading and improving certain public streets in the village of Flushing, Erie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Akron, Erie county,' passed December 7, 1847," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the trustees of the library," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburg,' passed March 18, 1857, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Wiley, from the committee on literature, to which was referred the Assembly bill entitled "An act for the benefit of the union school in the town of Westchester, N. Y., passed 1862," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on literature, to which was referred the Assembly bill entitled "An act to define the boundaries of union free schools in district No. 7, in the town of Cortlandt, county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish free schools in district No. 7, in the town of Cortlandt, county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

5, in the town of Flushing, passed March 10th, 1848," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend an act entitled 'An act to establish free schools in district No. 5, in the town of Flushing,' passed March 10th, 1858," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a free school in district No. 5, town of Oyster Bay, Queens county,' passed April 15, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Augustus Ivins and others, for the amendment of an act passed May 19, 1868, relating to Bushwick avenue, reported by bill entitled "An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, Kings county,' passed May 19th, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's dock, in the said town of Lumberland," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent the rules were suspended, and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon Depot turnpike road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to plankroads and turnpike roads," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the city and town of Binghamton to purchase the two toll-bridges across the Susquehanna river at Binghamton, and to maintain them as free bridges," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the Coeymans and Westerlo plankroad, the Union turnpike road and the Westerlo turn-

the county of Albany," reported in favor of the passage of said bill was committed to the committee of the whole.

Mr. [unclear], from the select committee of nine, reported the following complete:

"An act relating to the bridges across the Mohawk river at

for the protection of bridges over the Chemung river in the [unclear] county of Steuben."

"An act to amend an act entitled 'An act to authorize the formation of [unclear] for manufacturing, mining, mechanical or chemical purposes,' [unclear] January 17, 1848."

"An act to provide for enforcing the liens of inn keepers, boarding [unclear] mechanics, workmen or bailees, upon chattel property."

"An act to authorize the completion and maintaining the [unclear] street in the village of Yonkers to the city of New York, [unclear] bridge in the town of Yonkers."

"An act providing for the taking of affidavits in other States, [unclear] this State, and authorizing attorneys of courts of record in [unclear] take affidavits to be used in such courts."

"An act authorizing the raising of money to build and maintain a bridge [unclear] river at East Portchester, in the county of Westchester."

"An act extending the time for the Schenectady and Utica Railway [unclear] begin the construction of its road."

"An act to authorize the Cazenovia and Canastota Railroad [unclear] take increased fare on their road."

"An act to amend an act entitled 'An act to amend the act [unclear] to provide for the establishment of free schools in the [unclear]burgh,' passed April 6, 1852,' passed March 7, 1865."

"An act to incorporate the United States Railroad Conductors' Life [unclear] company."

"An act to amend chapter 531 of the Laws of 1866, entitled 'An act to [unclear] 144 of the Laws of 1865, entitled 'An act to incorporate [unclear] No. 212, of the Independent Order of Odd Fellows of [unclear] New York, in the village of Albion, in the county of Orleans.'"

"An act in relation to the 'Homœopathic Medical College of the State [unclear] in New York city."

"An act to authorize the Clipper Mower and Reaper Company to [unclear] capital stock by an issue of preferred stock, and to mort- [unclear] and personal property of said company to secure said pre-

"An act to revive and continue in force an act entitled 'An act to [unclear] steam ferry between the city of Brooklyn and Mott Haven, [unclear] county,' passed May 13, 1865, and an act amending the [unclear] May 11, 1867."

"An act to incorporate 'The New York Seamen's Association.'"

"An act to incorporate the Harlem Yacht Club."

"An act to incorporate the Port Morris Warehouse and Elevator Com-

"An act to authorize Danford Mott to establish and main- [unclear] across Lake Champlain at Rouse's Point, in the town of [unclear] in the county of Clinton."

"An act making the waters of Harrison creek, in the town [unclear] Lawrence county, a public highway."

"An act to amend the charter of the First National Ecles-

tic Assurance Society of the United States, and to change its corporate name."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867."

"An act to incorporate the village of Port Henry."

"An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of Chautauqua,' passed April 17, 1857."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859."

"An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water."

Assembly, "An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung."

Assembly, "An act to authorize the city of Troy to borrow money."

Assembly, "An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county."

Assembly, "An act to incorporate Rescue Hook and Ladder Company No. 1, of the village of Bath."

Assembly, "An act to incorporate the village of Williamsville."

"An act extending the term of service of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of three years."

Assembly, "An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county."

"An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes."

"An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to authorize the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

Assembly, "An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the execution and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village."

"An act relating to the House of Mercy, New York."

"An act to increase the powers of the Sisterhood of Saint Mary, a corporation."

Assembly, "An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and

owers of their trustees, and to provide for the government of said corporation."

authorize the Whitehall and Plattsburgh Railroad Company to increase the fare."

amend the charter of the Guardian Savings Institution."

"An act to amend an act entitled 'An act to authorize a tax on the town of Constable to build or purchase a town house,' passed March 21, 1846."

"An act to authorize the commissioners of public charities of the city of New York to establish an industrial school and, and for other purposes."

and moved to recommit from said report the bill entitled to amend an act entitled 'An act to consolidate and amend the act relating to the village of Sherburne, and to enlarge the power of incorporation of said village,' passed March 18, 1859," to the whole.

ent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

y moved that the report be adopted, with the exception of the following:

ending the term of service of the physician to the jail of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of

"An act to enable the board of supervisors of the county of Kings to increase the salaries of the several superintendents of the poor."

ent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

that said bill be engrossed for a third reading.

y moved to lay the question agreeing to the report of the committee on said Kings county bills upon the table.

ent put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

from the Assembly was received and read, in the words

IN ASSEMBLY, *March 31, 1869.*

nor having returned the bill entitled "An act to constitute the town of Southampton and that part of the town of East Hampton within the corporate limits of the village of Sag Harbor, all in the county of Suffolk, a separate district under the name of 'The Sag Harbor Railroad district,' and to authorize the said district to borrow for the purpose of aiding the Long Island Railroad Company to construct a branch railroad through said town of Southampton," a resolution of the Assembly, and the vote on the final passage having been reconsidered, on motion of Mr. Conant and by consent said bill was amended as follows:

all after the enacting clause and insert the following:

. It shall be lawful for the supervisor of the town of Southampton, to borrow, on the faith and credit of the said town, any sum or sums of money, not exceeding in the aggregate one hundred and twenty-five thousand dollars, as may be required to fully carry out the terms of agreements made on the 24th day of November, 1868, between the Long Island Railroad Company and Hannibal French

and others, and on the 23d day of December, 1868, between said company and John F. Foster and others, which require a cash donation to said railroad company, and the purchase of a right of way for a railroad through said town of Southampton, with lands for depots, side tracks and turnouts, in consideration of the construction of a railroad through said town, connecting Sag Harbor with the Long Island railroad; and the said supervisor is hereby authorized and required to assume all the liabilities of the said parties of the second part in such agreements.

"§ 2. The said supervisor shall execute bonds under his hand and the corporate seal of the said town, for such an amount as may be required in order to effect the objects above named, together with the necessary expenses in accomplishing the same, which bonds shall be a lien upon the taxable property of the said town, shall bear interest not exceeding seven per cent per annum, shall be of such form, conditions and denominations, and payable in such sums, and at such places and times, not exceeding thirty years from the passage of this act, as the said supervisor may deem expedient; provided, that there shall be raised by tax annually a sum sufficient to pay the annual interest upon the aggregate sum of bonds issued, and a further sum of not less than one and a half per centum nor more than three per centum of the aggregate amount of bonds issued, which last sum shall be invested, as guardians are by law authorized to invest, as a sinking fund for the final payment of the bonds; but said investments may be made, and it shall be the imperative duty of the supervisor to make the same, in the bonds therein authorized to be issued, whenever the same can be bought at par and accrued interest.

"§ 3. The said supervisor may, in his discretion, dispose of the bonds by him issued as aforesaid, or any part thereof, to such persons or corporations, and upon such terms as he shall deem most advantageous for the said town, but not for less than par, and the money that shall be raised by any loan or sale of such bonds shall be applied, as hereinbefore set forth, in aid of the construction of said railroad and the purchase of the right of way and lands therefor, together with the necessary expenses in effecting the same, the public necessity and utility whereof is hereby declared, and in the construction of which the said town is declared to be immediately interested.

"§ 4. The supervisor shall report to the board of supervisors of Suffolk county, within two days after the commencement of its annual sessions in each year, the amount required to be raised by tax for the then current fiscal year to pay the interest and any part of the principal due and to become due upon the said bonds for the same fiscal year, as provided in section two of this act, and including an additional amount equal to the annual expenses incident to his official duties herein; and it is hereby made the duty of the board of supervisors, and they are hereby authorized and required to cause the amount thus reported to them to be assessed, levied and collected of the real and personal property of said town, at the same time and in the same manner as other taxes are assessed, levied and collected, and the same when collected shall be paid over by the collector of the town of Southampton to the supervisor aforesaid, to be by him applied in payment of said interest and otherwise, as hereinbefore provided.

"§ 5. A failure of the supervisor to report to the board of supervisors, according to the provisions of the last preceding section, shall in no wise prevent or hinder said board from making the assessment and levy therein required at any subsequent session of said board, when it shall

t in possession of the amount required to be raised for such

said supervisor is hereby empowered and required to do all
 ts and things fully to carry out the provisions and purposes
 nd he may at any time borrow money and issue bonds
 ind as hereinbefore provided, to take up outstanding bonds
 can do so at decreased rates of interest. But for every such
 be issued, a corresponding amount of outstanding bonds
 diately redeemed, so that the aggregate of said outstanding
 ot be permanently increased.

re the said supervisor shall enter upon the discharge of the
 d of him by this act, he shall execute a bond, with sureties,
 y treasurer of Suffolk county, in behalf of said town, in a
 ual to the amount to be raised by such town, under and by
 s act, conditioned for the faithful discharge of his duties
 t, and for the just and honest application by him of all
 ds issued by him or coming into his hands; and each super-
 or elected in the aforesaid town of Southampton, during the
 of this act, shall execute a like bond within twenty days
 tion, and before he receives any money or securities, or
 nds under this act: provided, that upon a re-election of the
 the then expiring year, who was under bond, no new bonds
 red, but his former bond shall be continued in full force.
 ds shall be approved as to their form, manner of execution,
 iency of the sureties therein named by the county judge of
 y, and the same shall be deposited with the said county
 be collected by him or his successors in office, for the use
 f the said town, in case such supervisor is guilty of such a
 ty or malfeasance in office as to render said bonds col-

supervisor herein named shall receive for his services a com-
 ree-fourths of one per cent upon all receipts, and one-fourth
 nt upon all disbursements as stated in his annual account,
 to by the said board of auditors, and his actual expenses.
 petition presented to the Legislature from the taxpayers of
 ay for authority to extend aid to said railroad, with the
 d certificates thereon, shall be deemed and taken as conclu-
 of the consent of said town to the passage of this act, and
 uch petition shall be filed in the office of the county clerk of
 y.
 s act shall take effect immediately."

o said bill was amended so as to read as follows:

authorize the town of Southampton, in the county of Suf-
 bonds for the purpose of aiding the Long Island Railroad
 constructing a branch railroad through said town of South-

ious consent, the President put the question whether the
 l agree to reconsider the vote on the final passage of said
 as decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hubbard	O'Donnell	Thayer
Creamer	Morgan	Parker	Tweed

Campbell	Edwards	Nichols	Pierce	Van Petten	18
Cauldwell	Genet	Nicks			

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford	
Beach	Edwards	Humphrey	O'Donnell	Thayer	
Bradley	Genet	Morris	Parker	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	21
Cauldwell					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to alter the map or plan of the city of New York, by extending South street across Coenties slip," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to alter the commissioners' map of the city of Brooklyn by closing Graham street between Flushing avenue and River street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act in relation to the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act in relation to the Homœopathic Hospital in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the Forest Hill Cemetery in the village of Fredonia and county of Chautauqua to acquire title to other lands, and to use their funds for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to provide for the construction of a bridge on the Cattaraugus Indian Reservation, and for repairing the State bridge over the Cattaraugus creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate the fire department of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

nous consent, Mr. Hale asked and obtained leave to introduce and "An act relating to and regulating the business of fire and individual underwriters," which was read the first time, and by consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Hale asked and obtained leave to introduce and "An act to vest in the board of supervisors of Warren in legislative powers," which was read the first time, and by consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Genet asked and obtained leave to introduce and "An act to incorporate the Berge Choral Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Beach asked and obtained leave to introduce and "An act supplementary to chapter 29 of the Laws of the State in relation to the payment of bounties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Chapman asked and obtained leave to introduce and "An act to amend an act entitled 'An act to provide for the conveyance of any interest in real estate belonging to the State,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

of Mr. Genet and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to prohibit the use of steam on the Erie Railroad, in the city of New York," and the same recommitted to the committee on railroads, with power to report complete.

entitled "An act to incorporate the East-Side Savings Bank of New York," which was read a third time.

dent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, and all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Folger	Kennedy	Nicks	Thayer
Hale	Mattoon	Norton	Tweed
Hubbard	Morgan	Parker	Van Petten
Humphrey	Nichols	Stanford	Williams

21

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843," which was read a third time.

dent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, and all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Kennedy	Norton	Thayer
Genet	Morgan	Parker	Tweed

Bradley	Hale	Morris	Pierce	Van Petten
Campbell	Hubbard	Nichols	Stanford	Williams
Cauldwell	Humphrey	Nicks		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Graham	Morgan	Norton	Thayer
Campbell	Hubbard	Morris	Parker	Tweed
Cauldwell	Humphrey	Nichols	Pierce	Van Petten
Chapman	Kennedy	Nicks	Stanford	Williams
Edwards	Mattoon			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the more effectual suppression and punishment of bribery," having been announced for a third reading,

Mr. Chapman moved to recommit said bill to the committee of the whole, and that it be made the special order and considered in the first committee of the whole after the preferred calendar is disposed of, and that said bill be immediately printed and placed on the files of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Murphy	Tweed
Cauldwell	Genet	Kennedy	Nichols	Williams
Chapman	Graham	Mattoon	Norton	

19

FOR THE NEGATIVE.

Campbell	Folger	Morgan	O'Donnell	Stanford
Crowley	Hale	Nicks	Parker	Thayer

10

The bill entitled "An act in relation to legislative printing, and to exclude, in printing, superfluous matter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Nichols	Parker
Campbell	Genet	Kennedy	Nicks	Thayer
Crowley	Graham	Morgan	Norton	Tweed
Edwards	Hale	Morris	O'Donnell	

19

FOR THE NEGATIVE.

Cauldwell	Chapman	Hubbard	Van Petten	
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4

That the Clerk deliver said bill to the Assembly, and request
 yeance therein.

entitled "An act to divide the district designated by the act
 act to promote the public health in the town of New
 he county of Kings," passed April 13, 1859, and to provide
 ing of the ponds and other places in such districts," was
 time.

ent put the question whether the Senate would agree to the
 of said bill, and it was decided in the affirmative, a majority
 embers elected to the Senate voting in favor thereof, and
 said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hale	Murphy	Stanford
Folger	Humphrey	Nichols	Thayer
Genet	Kennedy	Parker	Tweed
Graham	Morris	Pierce	Van Petten

21

That the Clerk deliver said bill to the Assembly, and request
 yeance therein.

entitled "An act for the relief of John Edwards," was read a

ent put the question whether the Senate would agree to the
 of said bill, and it was decided in the affirmative, a majority
 embers elected to the Senate voting in favor thereof, and
 said members being present, as follows:

FOR THE AFFIRMATIVE.

Genet	Morgan	Nicks	Stanford
Graham	Morris	Norton	Thayer
Hale	Murphy	Parker	Tweed
Kennedy	Nichols	Pierce	Van Petten

21

That the Clerk deliver said bill to the Assembly, and request
 yeance therein.

ably bill entitled "An act to provide for grading and improv-
 street, and making a sidewalk therein and lighting the same,
 e of Peekskill," was read a third time.

ent put the question whether the Senate would agree to the
 of said bill, and it was decided in the affirmative, a majority
 embers elected to the Senate voting in favor thereof, and
 f said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Hale	Morris	Stanford
Edwards	Humphrey	Nicks	Thayer
Folger	Kennedy	Parker	Tweed
Genet	Mattoon	Pierce	Van Petten
Graham	Morgan		

23

That the Clerk return said bill to the Assembly, with a mes-
 saging that the Senate have concurred in the passage of the same,
 nents.

mbly bill entitled "An act for the erection and maintenance
 oughs in the public highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Parker	Tweed	
Bradley	Graham	Morris	Pierce	Van Petten	
Cauldwell	Hale	Nichols	Stanford	Williams	
Chapman	Humphrey	Nicks	Thayer		19

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Thayer	
Beach	Edwards	Humphrey	Norton	Tweed	
Bradley	Genet	Kennedy	Parker	Van Petten	
Campbell	Graham	Morgan	Pierce	Williams	
Chapman					21

FOR THE NEGATIVE.

Folger Morris Nicks 3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the annual town elections of the town of Sodus, in the county of Wayne, to be held by election districts," having been announced for a third reading,

On motion of Mr. Williams and by unanimous consent said bill was amended, as follows:

Section 5. Strike out "so" and insert "otherwise."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	O'Donnell	Thayer	
Beach	Edwards	Morgan	Parker	Van Petten	
Campbell	Genet	Nicks	Stanford	Williams	
Cauldwell	Graham	Norton			18

FOR THE NEGATIVE.

Morris Nichols

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," was read a

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Genet	Morris	Norton	Stanford	
Graham	Murphy	Parker	Tweed	
Hale	Nichols	Pierce	Williams	
Hubbard	Nicks			18

FOR THE NEGATIVE.

Humphrey	Kennedy	O'Donnell	Van Petten	6
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that the Clerk deliver said bill to the Assembly, and request a vote thereon.

entitled "An act to provide for the completion of Atlantic City, in the city of Brooklyn, and for the collection of the expenses of the same as provided by law," was read a third time.

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and a majority of the members being present, as follows:

FOR THE AFFIRMATIVE.

Crowley	Humphrey	Norton	Stanford	
Edwards	Kennedy	O'Donnell	Thayer	
Graham	Morris	Parker	Tweed	
Hubbard	Murphy	Pierce	Van Petten	20

that the Clerk deliver said bill to the Assembly, and request a vote thereon.

entitled "An act to amend an act entitled 'An act to establish the district of Columbia, and provide for the government thereof,' passed April 14, 1866," was read a third time.

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and a majority of the members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Kennedy	O'Donnell	Thayer	
Folger	Nichols	Parker	Tweed	
Genet	Nicks	Pierce	Van Petten	
Graham	Norton	Stanford	Williams	
Humphrey				22

that the Clerk deliver said bill to the Assembly, and request a vote thereon.

entitled "An act to amend an act entitled 'An act to amend an act to be known as Lafayette square, in the city of Brooklyn,' passed April 14, 1866," was read a third time.

ent put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and a majority of the members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Pierce
Campbell	Genet	Morris	Norton	Thayer
Cauldwell	Graham	Murphy	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Edwards	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act confirming the title of the First Congregational Society of Saratoga Springs to the real estate which has been conveyed to it, and authorizing said society to sell a portion of its property and to lease any portion thereof, and confirming all leases thereof made," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Tweed
Beach	Edwards	Humphrey	O'Donnell	Van Petten
Campbell	Folger	Mattoon	Parker	Williams
Cauldwell	Genet	Morris	Pierce	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for draining swamp lands in the towns of Lima, Livonia and Avon, in the county of Livingston,' passed April 20, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	O'Donnell	Thayer
Campbell	Genet	Morris	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Chapman	Humphrey	Nicks	Stanford	Williams
Edwards	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Tritonen Schuetzen Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Creamer	Mattoon	Nicks	Pierce
Campbell	Folger	Morgan	Norton	Stanford
Cauldwell	Graham	Morris	O'Donnell	Williams

20

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

Assembly bill entitled "An act to release certain escheated lands of Mary Milroy," was read a third time.

President put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, two-thirds of the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Crowley	Hale	Morris	Parker	
Edwards	Humphrey	Nichols	Pierce	
Folger	Kennedy	Nicks	Tweed	
Genet	Mattoon	Norton	Van Petten	
Graham	Morgan	O'Donnell	Williams	25

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

Assembly bill entitled "An act to legalize the action of the town of Canton, held February 9, 1869," was read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and the following said members being present, as follows:

FOR THE AFFIRMATIVE.

Creamer	Humphrey	Nicks	Thayer	
Edwards	Kennedy	O'Donnell	Tweed	
Folger	Mattoon	Parker	Van Petten	
Graham	Morgan	Pierce	Williams	
Hale	Nichols			23

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

Assembly bill entitled "An act to legalize and confirm the acts of the village of Rome in determining the terms of office of the said village," was read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and the following said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Mattoon	Nicks	Thayer	
Folger	Morgan	O'Donnell	Tweed	
Graham	Morris	Parker	Van Petten	
Hale	Nichols	Pierce	Williams	
Kennedy				22

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

Assembly bill entitled "An act to amend the charter of the city of New York," having been announced for a third reading,

On motion of Mr. Parker and by unanimous consent said bill was amended, as follows:

Last section, strike out the word "determined" and insert "ascertained."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	O'Donnell	Thayer
Beach	Edwards	Mattoon	Parker	Tweed
Campbell	Folger	Nichols	Pierce	Van Petten
Chapman	Graham	Nicks	Stanford	Williams
Creamer	Hale	Norton		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's dock, in the said town of Lumberland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Bradley	Graham	Morris	Parker	Tweed
Campbell	Hale	Nichols	Pierce	Williams
Cauldwell	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Genet, from the committee on railroads, to which was recommitted the bill entitled "An act to prohibit the use of steam on the Second avenue in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Norton	Stanford
Beach	Edwards	Kennedy,	Parker	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Campbell	Graham			

17

FOR THE NEGATIVE.

Chapman	Creamer	Hale	Morgan	Nichols
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5

that the Clerk deliver said bill to the Assembly, and request
 ence therein.

from a majority of the committee on railroads, to which
 the bill entitled "An act to authorize the construction of the
 , Christopher Street and Hudson River Railroad Company,
 New York," reported the same to the Senate for its con-
 d said bill was committed to the whole.

, from the committee on the judiciary, to which was referred
 ed "An act to legalize the acts and proceedings of Elias W.
 tice of the peace of the town of Shelter Island, county of
 rted in favor of the passage of the same with amendments,
 was committed to the committee of the whole.

ell, from the committee on agriculture, to which was refer-
 titled "An act to incorporate the Waddington Agricultural
 rted in favor of the passage of the same, and said bill was
 the committee of the whole.

from the committee on claims, to which was referred the
 "An act providing for the appraisal and payment of the
 e Seneca Nation of Indians, caused by raising the banks of
 the Oil Springs Reservation supplying water to the Gene-
 al," reported in favor of the passage of the same with amend-
 d bill was committed to the committee of the whole.

from the committee on the judiciary, to which was referred
 ed "An act to equalize the terms of office of all local judges
 l county of New York," reported that they have made some
 hereto, and amended the title so as to read as follows: "An
 n the terms of office of the recorder, city judge, and surro-
 y and county of New York," and as amended, recommend

of Mr. Creamer and by unanimous consent the rules were
 d said bill recommitted to the committee on the judiciary,
 o report complete.

ous consent, Mr. Kennedy moved that the committee of the
 charged from the further consideration of the bill entitled
 tend the boundaries of the village of Geddes," and that the
 mmitted to the committee on municipal affairs, to report

ent put the question whether the Senate would agree to said
 t was decided in the affirmative.

moved to reconsider the vote agreeing to the report of the
 municipal affairs adverse to the bill entitled "An act to
 e construction of the Central Elevated Patented railway in
 y," and that said motion be laid upon the table.

ent put the question whether the Senate would agree to said
 on the table, and it was decided in the affirmative.

r moved that the committee on insurance companies be dis-
 the further consideration of the bill entitled "An act to
 forfeiture of policies of life insurance," and that the same be
 e committee of the whole.

r moved to lay said motion upon the table.

nt put the question whether the Senate would agree to said
 on the table, and it was decided in the affirmative.

ffered the following resolution:

hat the papers on file relating to the claim of Brackett H.

Clark and others be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Mr. Cauldwell moved to take from the table the question of agreeing to the report of the committee on the erection and division of towns and counties, adverse to the Assembly bill entitled "An act to annex part of the town of New Rochelle to the town of Scarsdale, in the county of Westchester, and to alter the boundaries thereof."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to extend the time for the completion of the Buffalo city railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Pierce offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Humphrey moved to amend, as follows:

"That Senators desiring leave of absence have leave granted to be absent until Monday evening next at 7 o'clock."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morris	Norton	Thayer	
Cauldwell	Humphrey	Murphy	Parker	Van Petten	
Edwards	Kennedy	Nichols	Stanford	Williams	
Folger	Morgan	Nicks			18

FOR THE NEGATIVE.

Bradley	Chapman	Genet	Pierce	Tweed	
Campbell	Creamer	Graham			8

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Murphy	Pierce	Tweed	
Cauldwell	Genet	•			7

FOR THE NEGATIVE.

Banks	Graham	Morgan	Nicks	Thayer	
Campbell	Hale	Morris	Norton	Van Petten	
Chapman	Humphrey	Nichols	Stanford	Williams	
Folger	Kennedy				17

By unanimous consent, Mr. Morgan moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,'

17, 1863," and that the same be recommitted to the committee on municipal affairs, with power to report complete.

He then put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

By unanimous consent, Mr. Van Petten moved that the committee be discharged from the further consideration of the bill entitled "to authorize the rebuilding of the bridge across the Mohawk River at Little Falls, and to appoint commissioners for that purpose, and to provide money on the credit of the towns of Little Falls, Manheim and Manheim, and that the same be recommitted to the committee on municipal affairs, with power to report complete.

He then put the question whether the Senate would agree to said bill, and it was decided in the affirmative.

At the close of Mr. Tweed and by unanimous consent the Senate went into recess for the session, and after some time spent therein the doors were opened and legislative business resumed.

From the committee on engrossed bills, reported as corrected, the bills entitled as follows:

"To amend an act entitled 'An act to establish a capital police force, and to provide for the government thereof,' passed May 8, 1868," and to provide for the completion of Atlantic avenue, in the city of New York, and for the collection of the expenses of the same as provided in said act."

"To amend an act entitled 'An act to incorporate the Brooklyn Bridge Company,' passed April 14, 1866."

"To provide for the appointment of an additional number of justices of the peace in the city of New York, and in the several Assembly districts in this State."

"To prohibit the use of steam on the Second avenue, in the city of New York."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled

"To prevent the introduction and diffusion of contagious and infectious diseases among domestic animals in the State of New York," and "To prevent the sale of diseased meat."

"An act for the relief of John Fitzpatrick, assignee of Berwick, and his wife."

"To amend an act entitled 'An act to vest certain powers in the justices of the peace and inhabitants of the village of Montgomery, in the county of Montgomery,' passed February 17, 1810, and the several acts amendatory thereof."

At the expiration of the time spent therein the President resumed the chair, and the President, from said committee, reported progress on the first named bill, and obtained leave to sit again.

Next, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to, and said bill ordered to a third reading.

Next, from the same committee, reported in favor of the passage of the third named bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

He then returned the following entitled bill, with a message that he had assented to the amendments made thereto by the Senate:

"An act to amend chapter 280, section 73 of the Laws of 1847, relating to a reporter of the Supreme Court."

Ordered, That the Clerk return said bill to the Assembly.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate adjourned.

SATURDAY, APRIL 3, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Searle.

The journal of yesterday was read and approved.

Mr. Humphrey presented a petition of citizens of Middletown, Orange county, in relation to a savings bank, which was read and referred to the committee on banks.

Mr. Nicks presented a remonstrance of citizens of Prattsburgh against any division of Steuben county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Van Petten presented three remonstrances against rebuilding Finck's bridge, by James Feeter and others, which were read and referred to the committee on roads and bridges.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to release to the widow and children of Thos. Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867."

"An act in relation to the 'Homœopathic Medical College of the State of New York,' in New York city."

"An act to incorporate the United States Railroad Conductors' Life Insurance Company."

"An act to donate to the American Museum of Natural History, a collection from the duplicate specimens of Natural History belonging to the State."

"An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester."

"An act to amend chapter 531 of the Laws of 1866, entitled 'An act to amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212, of the Independent Order of Odd Fellows of Northern New York, in the village of Albion, in the county of Orleans.'"

"An act for the protection of bridges over the Chemung river in the town of Corning, in the county of Steuben."

which was read the first time, and by unanimous consent

was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the better protection of livery stable keepers and those who keep and board horses," reported that they have made some amendments thereto, and amended the title so as to read "An act for the better protection of those who pasture, keep or board horses or other animals," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 22, chapter 7, title 4, part 1 of the Revised Statutes, and section 57, chapter 12, title 2, part 1 of the same," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 2 of title 2 of chapter 1 of part 2 of the Revised Statutes, in relation to trustees," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to appointment of interpreters in civil justices and other courts in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the acknowledgment of deeds and other written instruments relating to real property," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the 10th section of an act entitled 'An act to repeal chapter 410, passed April 14, 1860, and chapter 303, passed April 17, 1861, and to divide the crime of murder into two degrees, and to prescribe the punishment of arson,' passed April 12, 1862," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to extend the boundaries of the village of Geddes, in the county of Onondaga," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bond and mortgage,' passed April 17, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on State prisons, to which was referred the bill entitled "An act to abolish certain punishments in the several prisons and penitentiaries of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Superintendent of the Banking Department, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Superintendent of

Department, and for distribution by him to savings banks, of the report on savings banks, and 1,000 copies for the

ent put the question whether the Senate would agree to said and it was decided in the affirmative.

bly sent for concurrence the bills entitled as follows:

incorporate the Wappinger's Falls Savings Bank of Wappinger, Dutchess county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

relation to a public park in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

amend the charter of the Home Life Insurance Company, of the incorporation of which was filed April 28th, 1860, provisions of an act entitled 'An act to provide for the incorporation of life and health insurance companies,' passed June 24, 1853, amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

provide for building an iron bridge over that part of the canal used for canal purposes, where a bridge now stands, at Cold Spring, between the towns of Lysander and Salina, in the county of Hamilton, which was read the first time, and by unanimous consent was read the second time, and referred to the committee on canals.

amend an act entitled 'An act to incorporate the Society for the reformation of Juvenile Delinquents, in the city of New York,' passed March 29, 1824," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on religious societies.

amend the charter of the 'Great Western Life Insurance Company, New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

relation to the New York savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

incorporate the village of Green Island, and for other purposes, which was read the first time, and by unanimous consent was read the second time, and referred to the committee on municipal affairs.

amend title 7 of chapter 8 of part 3 of the Revised Statutes, relating to proceedings for the admeasurement of dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

regulate, grade and macadamize certain pieces of highway in the county of Westchester, and known as Tuxedo, Pelham Bridge, West Farms, Williams Bridge, and East Chester roads and Union avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

, from the select committee of nine, reported the following complete:

Assembly, "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins and to enlarge the powers of the corporation of said village,' passed April 3, 1861."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 17, 1868."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown and the several acts amendatory thereof, and to extend the boundary of said village.'"

Assembly, "An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company, and to authorize the election of fifteen directors to manage its affairs."

Assembly, "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego."

Assembly, "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers."

Assembly, "An act to prevent injury to the bridge over the Tioughnioga river, in the town of Marathon, in the county of Cortland."

"An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to enable the board of public instruction in the city of Albany to obtain sites for school houses."

"An act to incorporate the American Museum of Natural History."

"An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

Assembly, "An act to designate the place of holding the meetings of the board of supervisors of Oswego county, to regulate the compensation of members thereof."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Beach offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Beach	Folger	Nichols	4
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FOR THE NEGATIVE.

Campbell	Humphrey	Mattoon	Morris	Van Petten	
Graham	Kennedy	Morgan	Nicks	Williams	10

Mr. Graham moved a call of the roll, to ascertain whether a quorum was present.

called the roll, when the following Senators responded to

Folger	Kennedy	Morris	Van Petten	
Graham	Mattoon	Nichols	Williams	
Humphrey	Morgan	Nicks		14

on moved that the Senate now adjourn.

ent put the question whether the Senate would agree to said
t was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Kennedy	Nichols	Nicks	
Graham				7

FOR THE NEGATIVE.

Mattoon	Morris	Van Petten	Williams	
Morgan				7

on moved a call of the Senate.

on moved that the Senate now adjourn.

ent put the question whether the Senate would agree to said
journal, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Graham	Kennedy	Nichols	
				6

FOR THE NEGATIVE.

Mattoon	Morris	Van Petten	Williams	
Morgan	Nicks			8

on moved that the Sergeant-at-Arms be directed to bring in
s as are present in the cities of Albany and Troy.

ent put the question whether the Senate would agree to said
it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Humphrey	Morgan	Nicks	Van Petten	
Kennedy	Morris	Thayer	Williams	
Mattoon	Nichols			13

FOR THE NEGATIVE.

Graham				2
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hrey moved to reconsider the vote just taken.

ent put the question whether the Senate would agree to said
consider, and it was decided in the affirmative.

edy moved to amend the motion of Mr. Morgan by striking
Troy."

ent put the question whether the Senate would agree to said
mend, and it was decided in the affirmative.

ent then put the question whether the Senate would agree
ion of Mr. Morgan, as amended, and it was decided in the

oon moved that the Senate proceed to the consideration of
ers.

ent put the question whether the Senate would agree to said
it was decided in the affirmative.

te then resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867.'"

"An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district."

"An act to provide sites for armories for the Seventh and Seventy-first Regiments of the National Guard of the State of New York."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company, in the town of Warsaw."

Assembly, "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad.'"

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

"An act with reference to juries in the district courts of the city of New York."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

After some time spent therein the President resumed the chair, and

om said committee, reported progress on the two first named and obtained leave to sit again.

, from the same committee, reported in favor of the past named bill without amendment, which report was agreed all ordered to a third reading.

ms moved that the first entitled bill, with amendments, be

ent put the question whether the Senate would agree to said t was decided in the affirmative.

from the committee on the judiciary, to which was referred ed "An act to enable John Augustus Hill, an alien, to hold reported in favor of the passage of the same, and said bill d to the committee of the whole.

from the committee on the judiciary, to which was recom- ill entitled "An act to lengthen the terms of office of the judge and surrogate of the city and county of New York," report complete, reported the same complete, which report and said bill ordered engrossed for a third reading.

ns, from a majority of the committee on insurance com- ch was referred the Assembly bill entitled "An act to incor- etropolitan Guaranty and Indemnity Company," reported e passage of the same, and said bill was committed to the the whole.

of Mr. Humphrey and by unanimous consent the rules were d the committee of the whole discharged from the further of the bill entitled "An act to incorporate the Warsaw Company," and the same recommitted to the committee on irs, with power to report complete.

of Mr. Chapman and by unanimous consent the rules were d the committee of the whole discharged from the further of the bill entitled "An act to amend an act entitled 'An to schools in the village of Binghamton,' passed April 19, porated into the charter of the city of Binghamton, in title entitled 'An act to incorporate the city of Binghamton,' 9, 1867, and the various acts amendatory thereof," and the itted to the committee on literature, with power to report

ly returned the following entitled bills, with a message that rred in the amendments made thereto by the Senate :

amend the charter of the village of Gouverneur, in the Lawrence."

fix the salaries of the assessors and overseer of the poor in ca."

incorporate the Lordville and Equinunk Bridge Company." amend the charter of the International Insurance Company New York."

that the Clerk return said bills to the Assembly.

ly returned the bill entitled as follows :

authorize any life or fire insurance, or any trust or loan com- savings bank, in the counties of Orange, New York or Kings, funds or deposits in the bonds issued pursuant to any law by the village of Middletown, Orange county, for the pur- ducting waterworks."

that the Clerk deliver said bill to the Governor.

Mr. Nicks moved that the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," be made the special order on Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Beach, the Senate adjourned.

MONDAY, APRIL 5, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Potter.

The journal of Saturday was read and approved.

Mr. Kennedy presented a petition of inhabitants of Homer, asking for the completion of endowment of Cortland academy, at Homer, which was read and referred to the committee on literature.

Mr. Kennedy presented a remonstrance of John A. Clark and others, against the bill authorizing the Syracuse and Onondaga Stone Quarry Railroad Company to purchase title to land of Onondaga Indian reservation, which was read and referred to the committee on Indian affairs.

Mr. Nicks presented a remonstrance against amending the charter of Elmira, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition of citizens of Binghamton, for an act authorizing further bonding for water purposes, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to incorporate the village of Whitestone, in Queens county."

"An act to amend the charter of the Guardian Savings Institution."

"An act to authorize the rebuilding the bridge across the Mohawk river at Finck's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube."

"An act relating to the House of Meroy, New York."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act to increase the powers of the Sisterhood of Saint Mary, a corporation."

to amend an act entitled 'An act to enlarge the corporate village of Silver Creek, in the county of Chautauqua,' April 17, 1857."

to amend an act entitled 'An act to condense and amend the act relating to the village of Albion,' passed April 1, 1842."

to amend an act entitled 'An act to establish and amend the village of Deposit,' passed March 2, 1858, and the acts thereof."

to incorporate 'The New York Seamen's Association.'"

to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage real and personal property of said company to secure said preference."

to authorize the city of Buffalo to cause the streets therein to be paved with water."

authorizing the common council of the city of Binghamton to appropriate an additional sum for highway purposes."

to incorporate the Port Morris Warehouse and Elevator Co."

to extend the boundaries of the village of Geddes, in the county of Onondaga."

to authorize the construction of a railroad in the village of Warsaw and from said village of Warsaw to the passenger and freight line of the Erie Railway Company in the town of Warsaw."

to authorize the town of Naples to raise eight thousand dollars to build a Town and Soldiers' Memorial Hall."

to extend the time for taking avail of certain provisions of the 4th of the Laws of 1868, entitled 'An act for the disposition of the moneys arising upon sales, pursuant to part 3, chapter 8, title 1 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by deed.'"

to incorporate the village of Port Henry."

to incorporate the Harlem Yacht Club."

to amend an act entitled 'An act to authorize the formation of companies for manufacturing, mining, mechanical or chemical purposes,' passed January 17, 1848."

to extend the time for the Schenectady and Utica Railway to begin the construction of its road."

to provide for the correction of errors in the equalization of assessments in the county of Columbia, as made by the board of supervisors."

to regulate and restrict the organization of savings banks and associations for savings."

The President presented a resolution of the common council of New York City in favor of the passage of Assembly bill entitled "An act for the relief of the street and Broadway stage line of New York city," which was referred to the committee on municipal affairs.

The 44th annual report of the Managers of the Society for the Reformation of Juvenile Delinquents, which was laid on the table and printed.

(See Assembly Doc. No. 30.)

Resolutions of the Chamber of Commerce of the State of New York in relation to amendments of harbor laws, which were laid on the table and ordered printed.

(See Doc. No. .)

Mr. Cauldwell moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act relative to lands devised by Thomas O'Brien, deceased."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Cauldwell moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act in relation to the place of trial of certain offenses," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the Warsaw Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorize the deepening of a culvert under the Genesee Valley canal near lock No. 2," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the citizens of the town of Homer to issue bonds for the completion and enlargement of the Cortland academy, at Homer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to lay out, extend and work Fairmount avenue, in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866," with a message that they have concurred in the passage thereof with the following amendments:

Section 4, line 6, engrossed bill, after the word "but" strike out the words "the last sentence of." Line 25, same section, after the word "such" insert the words "board of." Line 28, same section, after the word "said" insert the words "board of." Line 31, same section, after the word "the" insert the words "board of."

ident put the question whether the Senate would agree to said amendments, and it was decided in the affirmative, a f all the members elected to the Senate voting in favor follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk return said bill to the Assembly, with a mes-
ing that the Senate have concurred in their amendments.
entitled "An act to establish the office of receiver of taxes in
f New Rochelle, in the county of Westchester," was read a

ident put the question whether the Senate would agree to the
e of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Creamer	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

entitled "An act to amend an act entitled 'An act to amend an
'An act to consolidate and amend the charter of the village of
passed April, 1832, passed April 1, 1854,'" was read a third

ident put the question whether the Senate would agree to the
e of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

mbly bill entitled "An act to amend an act entitled 'An act to
the Rhinebeck Gas Company,' passed May 5, 1868," was read

ident put the question whether the Senate would agree to
assage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Cauldwell	Humphrey	Nicks	Tweed	
Edwards	Kennedy	O'Donnell	Van Petten	
Folger	Morgan	Thayer	Williams	
Graham				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the village of Whitestone, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Graham	Nicks	Tweed
Beach	Cauldwell	Morgan	O'Donnell	Van Petten
Bradley	Edwards	Morris	Thayer	Williams

15

FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Kennedy	Nichols
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5

Mr. O'Donnell moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize Danford Mott to establish and maintain a ferry across Lake Champlain at Rouse's Point, in the town of Champlain, in the county of Clinton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed
Beach	Chapman	Humphrey	Nichols	Van Petten
Bradley	Edwards	Kennedy	Nicks	Williams
Campbell	Folger	Morgan	Thayer	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the protection of bridges over the Chemung river in the town of Corning, in the county of Steuben," was read a third time.

ident put the question whether the Senate would agree to the e of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request rrence therein.

entitled "An act to amend an act entitled 'An act to authorize ion of corporations for manufacturing, mining, mechanical or rposes,' passed February 17, 1848," was read a third time.

ident put the question whether the Senate would agree to assage of said bill, and it was decided in the affirmative, a all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request rrence therein.

entitled "An act to provide for enforcing the liens of inn arding house keepers, mechanics, workmen or bailees, upon erty," was read a third time.

ident put the question whether the Senate would agree to the e of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Tweed	
Chapman	Humphrey	Nicks	Van Petten	
Edwards	Kennedy	Thayer	Williams	
Folger	Morgan			18

FOR THE NEGATIVE.

O'Donnell	2
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That the Clerk deliver said bill to the Assembly, and request rrence therein.

embly bill entitled "An act to authorize the completion and y the road from Dock street, in the village of Yonkers, to the w York, at or near Kingsbridge in the town of Yonkers," was l time.

ident put the question whether the Senate would agree to the e of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed

Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for the taking of affidavits in other States, to be used in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act authorizing the raising of money to build and maintain a bridge across Byram river at East Portchester, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed	
Beach	Edwards	Kennedy	O'Donnell	Van Petten	
Campbell	Folger	Morgan	Thayer	Williams	
Cauldwell	Graham	Morris			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare on their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a

of all the members elected to the Senate not voting in favor follows:

FOR THE AFFIRMATIVE.

Chapman	Humphrey	Morris	O'Donnell	
Edwards	Kennedy	Nichols	Thayer	
Graham	Morgan	Nicks	Van Petten	15

FOR THE NEGATIVE.

Bradley	Folger	Tweed	Williams	5
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nnedy moved to reconsider the vote just taken, and that that on the table.

sident put the question whether the Senate would agree to said ay on the table, and it was decided in the affirmative.

sembly bill entitled "An act to amend an act entitled 'An act he act entitled 'An act to provide for the establishment of free the village of Newburgh,' passed April 6, 1852,' passed March as read a third time.

sident put the question whether the Senate would agree to the e of said bill, and it was decided in the affirmative, a majority members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk return said bill to the Assembly, with a mes- ing that the Senate have concurred in the passage of the same, endment.

entitled "An act to incorporate the United States Railroad ' Life Insurance Company," was read a third time.

sident put the question whether the Senate would agree to assage of said bill, and it was decided in the affirmative, a f all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Chapman	Humphrey	Nichols	Thayer	
Edwards	Kennedy	Nicks	Tweed	
Folger	Morgan	O'Donnell	Williams	
Graham	Morris			18

FOR THE NEGATIVE.

Van Petten				2
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, That the Clerk deliver said bill to the Assembly, and request urrence therein.

entitled "An act to amend chapter 531 of the Laws of 1866, n act to amend chapter 144 of the Laws of 1865, entitled 'An orporate Albion Lodge No. 212, of the Independent Order of ws of Northern New York, in the village of Albion, in the Orleans,'" was read a third time.

sident put the question whether the Senate would agree to assage of said bill, and it was decided in the affirmative, a f all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the 'Homœopathic Medical College of the State of New York,' in New York city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Thayer
Beach	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams
Cauldwell	Graham	Morris		18

FOR THE NEGATIVE.

Bradley 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Thayer
Beach	Edwards	Kennedy	Nicks	Tweed
Bradley	Graham	Morgan	O'Donnell	Van Petten 15

FOR THE NEGATIVE.

Campbell Chapman Folger Nichols Williams 5

Mr. Cauldwell moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed
Beach	Edwards	Kennedy	Nicks	Van Petten

Folger	Morgan	O'Donnell	Williams	
Graham	Morris	Thayer		19

FOR THE NEGATIVE.

1

, That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to incorporate 'The New York Seamen's n,'" was read a third time.

resident put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, a f all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

, That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to incorporate the Harlem Yacht Club," was d time.

resident put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, a f all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Cauldwell	Humphrey	Nicks	Tweed	
Chapman	Morgan	O'Donnell	Van Petten	
Edwards	Morris	Thayer	Williams	
Graham	Nichols			18

FOR THE NEGATIVE.

Kennedy	2
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, That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to incorporate the Port Morris Warehouse tor Company," was read a third time.

resident put the question whether the Senate would agree to the ge of said bill, and it was decided in the negative, a majority members elected to the Senate not voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Morris	Tweed	
Folger	Kennedy	Nicks	Van Petten	
Graham	Morgan	Thayer		14

FOR THE NEGATIVE.

Chapman	Nichols	O'Donnell	Williams	5
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uldwell moved to reconsider the vote just taken, and that that on the table.

resident put the question whether the Senate would agree to said lay on the table, and it was decided in the affirmative.

entitled "An act to amend an act entitled 'An act to vest cer- ers in the freeholders and inhabitants of the village of Mont-

gomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE. -

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the boundaries of the village of Geddes, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making the waters of Harrison creek, in the town of Canton, St. Lawrence county, a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	O'Donnell	
Beach	Chapman	Humphrey	Nichols	Thayer	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan			18

FOR THE NEGATIVE.

Tweed

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the First National Eclectic Assurance Society of the United States, and to change its corporate name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Thayer	
Bradley	Edwards	Kennedy	Nicks	Van Petten	

Folger	Morgan	O'Donnell	Williams	
Graham	Morris			18

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, and amendment.

entitled "An act to amend an act entitled 'An act to condense the several acts relating to the village of Albion,' passed April 1867," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Kennedy	Nichols	Thayer	
Edwards	Morgan	Nicks	Tweed	
Folger	Morris	O'Donnell	Williams	
Humphrey				17

FOR THE NEGATIVE.

Graham	Van Petten
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That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to amend an act entitled 'An act to amend the act of the village of Dunkirk,' passed April 20, 1867," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to incorporate the village of Port Henry," was read a third time.

The President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

entitled "An act to authorize the city of Buffalo to cause the main canal to be sprinkled with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Morris	O'Donnell	
Beach	Edwards	Kennedy	Nichols	Van Petten	
Campbell	Folger	Morgan	Nicks	Williams	
Cauldwell	Graham				18

FOR THE NEGATIVE.

Bradley	Thayer	Tweed			3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed	
Beach	Chapman	Kennedy	Nicks	Van Petten	
Bradley	Edwards	Morgan	O'Donnell	Williams	
Campbell	Graham	Morris	Thayer		19

FOR THE NEGATIVE.

Folger					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the city of Troy to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate Rescue Hook and Ladder Company No. 1, of the village of Bath," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Humphrey	Nichols	Thayer
Chapman	Kennedy	Nicks	Van Petten
Edwards	Morgan	O'Donnell	Williams
Graham	Morris		18

Y, That the Clerk return said bill to the Assembly, with a message stating that the Senate have concurred in the passage of the same, and amendment.

Assembly bill entitled "An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county," was read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and five-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed
Edwards	Kennedy	Nicks	Van Petten
Folger	Morgan	O'Donnell	Williams
			20

Y, That the Clerk return said bill to the Assembly, with a message stating that the Senate have concurred in the passage of the same, and amendment.

Assembly bill entitled "An act to incorporate the village of Wilkes, Otsego county," was read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and five-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed
Edwards	Kennedy	Nicks	Van Petten
Folger	Morgan	O'Donnell	Williams
			20

Y, That the Clerk return said bill to the Assembly, with a message stating that the Senate have concurred in the passage of the same, and amendment.

Assembly bill entitled "An act authorizing the common council of the city of Otsego to raise an additional sum for highway purposes," was read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and five-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed
Edwards	Kennedy	Nicks	Van Petten
Folger	Morgan	O'Donnell	Williams
			20

Y, That the Clerk deliver said bill to the Assembly, and request concurrence therein.

The bill entitled "An act to extend the time for taking avail of certain provisions of 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed	
Beach	Edwards	Kennedy	Nicks	Van Petten	
Bradley	Folger	Morgan	Thayer	Williams	
Campbell	Graham	Morris			18

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize a tax in the town of Phelps for a town hall at Orleans village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Guardian Savings Institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Chapman	Humphrey	Nicks	Tweed
Edwards	Kennedy.	O'Donnell	Van Petten
Folger	Morgan	Thayer	Williams
Graham	Nichols		18

That the Clerk deliver said bill to the Assembly, and request
 rence therein.

Assembly bill entitled "An act to authorize the trustees of the
 Canandaigua to borrow money to pay for the excavation and
 of a canal and basin in Canandaigua lake, at the foot of Main
 village," was read a third time.

President put the question whether the Senate would agree to the
 of said bill, and it was decided in the affirmative, a majority
 members elected to the Senate voting in favor thereof, and
 of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed
Edwards	Kennedy	Nicks	Van Petten
Folger	Morgan	O'Donnell	Williams
			20

That the Clerk return said bill to the Assembly, with a mes-
 sage that the Senate have concurred in the passage of the same,
 ments,

entitled "An act relating to the House of Mercy, New York,"
 third time.

President put the question whether the Senate would agree to
 passage of said bill, and it was decided in the affirmative, a
 all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer
Chapman	Humphrey	Nichols	Tweed
Edwards	Kennedy	Nicks	Van Petten
Folger	Morgan	O'Donnell	Williams
			20

That the Clerk deliver said bill to the Assembly, and request
 rence therein.

entitled "An act to increase the powers of the Sisterhood of
 a corporation," was read a third time.

President put the question whether the Senate would agree to the
 of said bill, and it was decided in the affirmative, a majority
 members elected to the Senate voting in favor thereof; and
 of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Humphrey	Nichols	Tweed
Chapman	Kennedy	Nicks	Van Petten
Edwards	Morgan	Thayer	Williams
Graham	Morris		18

FOR THE NEGATIVE.

O'Donnell	2
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That the Clerk deliver said bill to the Assembly, and request
 rence therein.

The Assembly bill entitled "An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and enlarge the powers of their trustees, and to provide for the government and business of said corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Tweed	
Beach	Edwards	Kennedy	O'Donnell	Van Petten	
Bradley	Folger	Morris	Thayer	Williams	
Campbell	Graham	Nichols			18

FOR THE NEGATIVE.

Chapman	Morgan				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize a tax to be levied in the town of Constable to build or purchase a town house,' passed April 21, 1846," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the commissioners of public charities and correction, of the city of New York, to establish an industrial school on Hart's Island, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Tweed	
Beach	Chapman	Humphrey	Nicks	Van Petten	
Bradley	Edwards	Kennedy	O'Donnell	Williams	
Campbell	Folger	Morris	Thayer		19

FOR THE NEGATIVE.

Morgan					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Assembly bill entitled "An act to amend an act entitled 'An act to amend and amend the several acts relating to the village of Wat-
enlarge the powers of the corporation of said village,' passed
1," was read a third time.

President put the question whether the Senate would agree to the
of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk return said bill to the Assembly, with a mes-
sage that the Senate have concurred in the passage of the same,
and amendment.

Assembly bill entitled "An act to amend an act entitled 'An act to
quarter of the village of Johnstown and the several acts amend-
and to extend the boundary of said village,'" was read a

President put the question whether the Senate would agree to the
of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk return said bill to the Assembly, with a mes-
sage that the Senate have concurred in the passage of the same,
and amendment.

Assembly bill entitled "An act to authorize the rebuilding the bridge across
the river at Finck's basin and to appoint commissioners for that
purpose to borrow money on the credit of the towns of Little Falls,
and Danube," was read a third time.

President put the question whether the Senate would agree to the
of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request
concurrence therein.

Assembly bill entitled "An act to confirm the organization, acts
and proceedings of the Monticello and Port Jervis Railway Company,
to authorize the election of fifteen directors to manage its affairs,"
was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to prevent injury to the bridge over the Tioughnioga river, in the town of Marathon, in the county of Cortland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten

Folger	Morgan	O'Donnell	Williams	
Graham	Morris	Thayer		19

FOR THE NEGATIVE.

1

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, amendments.

Assembly bill entitled "An act to designate the place of holding sessions of the board of supervisors of Oswego county, and to regulate compensation of members thereof," was read a third time.

President put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, the fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	
Graham	Morris	Thayer		19

FOR THE NEGATIVE.

1

That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same, without amendment.

Assembly bill entitled "An act to provide for draining the wet lands between Sanda creek and Ransom creek, in the town of Amherst, in the county of Erie," was read a third time.

President put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, the fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

Assembly bill entitled "An act to amend an act entitled 'An act to establish a charter of the village of Deposit,' passed March 2, 1858, and its amendatory thereof," was read a third time.

President put the question whether the Senate would agree to passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, the fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Morris	Thayer	
Chapman	Humphrey	Nichols	Tweed	
Edwards	Kennedy	Nicks	Van Petten	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk deliver said bill to the Assembly, and request concurrence therein.

The bill entitled "An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company in the town of Warsaw," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Thayer
Campbell	Folger	Morgan	Nicks	Van Petten
Chapman	Humphrey	Morris	O'Donnell	Williams
				15

FOR THE NEGATIVE.

Banks	Bradley	Cauldwell	Graham	Tweed
				5

Mr. Kennedy moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to incorporate the American Museum of Natural History," having been announced for a third reading,

Mr. Chapman moved that the Assembly bill with same title be substituted in place thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed
Beach	Chapman	Humphrey	Nichols	Van Petten
Bradley	Edwards	Kennedy	Nicks	Williams
Campbell	Folger	Morgan	O'Donnell	
				19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Banks, the Senate adjourned.

TUESDAY, APRIL 6, 1869.

Senate met pursuant to adjournment.

Wyman present.

Journal of yesterday was read and approved.

Wyman presented a remonstrance of property owners on Atlantic street, in the city of Brooklyn, against the bill to pave said avenue from Fourth avenue and Brooklyn avenue, in said city, which was read and referred to the committee on municipal affairs.

Williams presented a petition of citizens of Brutus, Cayuga county, against regulating the transportation of freight on railroads, which was referred to the committee on railroads.

Wyman presented two remonstrances of citizens of Brooklyn, against widening of Flatbush avenue by commissioners of Prospect park, which was read and referred to the committee on municipal affairs.

Wyman presented a remonstrance of tax payers and residents of Flatbush, against certain portions of the act to incorporate that village, which was read and laid on the table.

Wyman presented a remonstrance of 100 citizens of the village of Flatbush, against any change in the trustees of the Middletown Savings Bank, which was read and referred to the committee on banks.

Wyman presented a remonstrance of citizens of Brooklyn, against widening Douglass and President streets, in said city, which was read and referred to the committee on municipal affairs.

Wyman presented a petition of Peter Bergen and John P. Morris, trustees of Ann Street, to sell certain real estate in the city of Brooklyn, late of Simon Morris, which was read and referred to the committee on the judiciary.

Williams moved to take from the table the motion to discharge the committee on insurance from the further consideration of the bill entitled "An act to regulate the forfeiture of policies of life insurance," and refer the same to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to refer the same to the committee of the whole, and it was decided in the negative.

Williams, from the committee on insurance companies, to which was committed the bill entitled "An act to regulate the forfeiture of policies of life insurance," reported the same to the Senate with amendments, and said bill was committed to the committee of the whole.

Wyman, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to widen and improve Franklin avenue, in the town of Flatbush," reported in favor of the same, and said bill was committed to the committee of the whole.

Wyman, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend the powers of commissioners of excise, and for other purposes,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed stated his dissent from said report, and asked that the same be entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Flushing, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county."

"An act to incorporate the village of Charlotte, in the county of Monroe."

Assembly, "An act to provide for the construction of a road and bridge across Huntington harbor, in the town of Huntington and the county of Suffolk."

"An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient Accepted Scottish Rite, in the city of Albany, to hold and convey real estate."

Assembly, "An act to authorize the Cohoes Gas Light Company to issue bonds to pay for the enlargement and extension of their works."

Assembly, "An act to amend an act entitled 'An act confirming certain proceedings of the board of supervisors of Montgomery county, and in relation to the support of the poor in said county,' passed April 19, 1866."

"An act to incorporate the Presbyterian Home for aged women in the city of New York."

"An act to authorize the board of education of Union Free School district No. 1, of the town of Moravia, in the county of Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The President presented a communication from the Canal Board relative to improvement of Albany basin, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 70.)

Also, resolutions adopted by the Buffalo Board of Trade indorsing the action of the Produce Exchange of the city of New York relating to the canals of this State, and the commerce connected therewith, which were read and referred to the committee on canals.

nous consent, Mr. Murphy asked and obtained leave to introduce an act entitled "An act to authorize the mortgaging of real estate of cities and corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Mattoon asked and obtained leave to introduce an act entitled "An act to authorize the construction of an iron bridge over the canal feeder at the junction of Cedar and Main streets, in the city of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

nous consent, Mr. Cauldwell asked and obtained leave to introduce an act entitled "An act to make and improve certain highways in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the roads and bridges.

nous consent, Mr. Banks asked and obtained leave to introduce an act entitled "An act to annex parts of the towns of Bethlehem and Westerlo, in the county of Albany to the city of Albany, and to amend the parts thereof from certain taxes, and to annex part of the town of Westerlo to the town of Guelderland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

an, from the committee on engrossed bills, reported as corrected the bills entitled as follows:

To authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district.

To amend an act entitled 'An act to amend the charter of the Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,' passed April 17, 1863."

To lengthen the terms of office of the recorder, city judge and clerk of the city and county of New York."

To lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison

To enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

To enable the board of public instruction in the city of Albany to purchase land for school houses."

To amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chehango and Schoharie Valley Railroad Company, empowering it to apply for a charter and land on complying with certain conditions,' passed April 2,

To amend an act entitled 'An act in relation to schools in the city of Binghamton,' passed April 19, 1861, as incorporated into the act entitled 'An act in relation to the city of Binghamton,' passed April 9, 1867, and the amendments thereof."

To incorporate the Warsaw Waterworks Company."

entitled "An act to release the interest of the State of New

York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer	
Beach	Folger	Kennedy	Nicks	Tweed	
Bradley	Genet	Mattoon	Norton	Van Petten	
Campbell	Graham	Morgan	O'Donnell	Williams	
Chapman	Hubbard	Morris	Pierce		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to the widow and children of Thomas Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer	
Beach	Folger	Kennedy	Norton	Tweed	
Bradley	Genet	Mattoon	O'Donnell	Van Petten	
Campbell	Graham	Morgan	Pierce	Williams	
Chapman	Hubbard	Morris			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Pierce	
Beach	Edwards	Hubbard	Morgan	Thayer	
Bradley	Folger	Humphrey	Morris	Tweed	
Campbell	Genet	Kennedy	Nichols	Van Petten	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Mattoon moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to authorize the Cazenovia and Canastota railroad to take increased fare."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Mattoon	O'Donnell	
Chapman	Hubbard	Morgan	Thayer	
Edwards	Humphrey	Morris	Van Petten	
Genet	Kennedy	Nichols	Williams	20

FOR THE NEGATIVE.

1

bill was then read a third time.

President put the question whether the Senate would agree to the passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hubbard	Morgan	O'Donnell	
Chapman	Humphrey	Morris	Thayer	
Genet	Kennedy	Nichols	Van Petten	
Graham	Mattoon	Norton		19

FOR THE NEGATIVE.

1

ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Cauldwell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to incorporate the Port Morris House and Elevator Company."

President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

President then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Morris	Pierce	
Genet	Kennedy	Nichols	Thayer	
Graham	Mattoon	Norton	Van Petten	
Hubbard	Morgan	O'Donnell		19

ordered, That the Clerk deliver said bill to the Assembly, and request concurrence therein.

Said bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds mortgaged,' passed April 17, 1863," was read a third time.

President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Genet	Kennedy	Nichols	Thayer	
Graham	Mattoon	Norton	Tweed	

Campbell	Hale	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
Edwards	Humphrey	Murphy		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. O'Donnell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer
Bradley	Edwards	Morgan	Norton	Van Petten
Campbell	Genet	Nichols	O'Donnell	Williams
Cauldwell	Hale			

FOR THE NEGATIVE.

Humphrey

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Bradley	Folger	Mattoon	Norton	Thayer
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Graham	Nichols	Parker	Williams
Chapman	Hubbard			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to donate to the American Museum of Natural History a collection from the duplicate specimens of Natural History belonging to the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Edwards	Humphrey	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Twed
Campbell	Graham	Morgan	Norton	Van Petten
Cauldwell	Hale	Morris	O'Donnell	Williams

FOR THE NEGATIVE.

Folger Thayer

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare," was read a third time.

ent put the question whether the Senate would agree to
age of said bill, and it was decided in the affirmative, a
the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Morris	Parker	
Genet	Humphrey	Nichols	Pierce	
Graham	Mattoon	Nicks	Thayer	
Hale	Morgan	O'Donnell		19

FOR THE NEGATIVE.

Van Petten	2
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at the Clerk deliver said bill to the Assembly, and request
nce therein.

itled "An act to incorporate the Oswego Pier and Dook
as read a third time.

ent put the question whether the Senate would agree to the
f said bill, and it was decided in the affirmative, a majority
nbers elected to the Senate voting in favor thereof, and
said members being present, as follows:

FOR THE AFFIRMATIVE.

Folger	Humphrey	Nichols	Pierce	
Genet	Kennedy	Nicks	Tweed	
Graham	Mattoon	O'Donnell	Van Petten	
Hale	Morgan	Parker	Williams	
Hubbard	Morris			28

at the Clerk deliver said bill to the Assembly, and request
nce therein.

itled "An act to lay out, open, extend and work a certain
he town of West Farms, in the county of Westchester,
lison avenue," was read a third time.

ent put the question whether the Senate would agree to the
f said bill, and it was decided in the affirmative, a majority
nbers elected to the Senate voting in favor thereof, and
said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Nicks	Pierce	
Folger	Kennedy	Norton	Tweed	
Genet	Mattoon	O'Donnell	Van Petten	
Graham	Nichols	Parker	Williams	
Hubbard				22

at the Clerk deliver said bill to the Assembly, and request
nce therein.

itled "An act to enable the board of public instruction in
lbany to obtain sites for school houses," was read a third

ent put the question whether the Senate would agree to
age of said bill, and it was decided in the affirmative, a
l the members elected to the Senate voting in favor thereof,
hs of said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hale	Mattoon	O'Donnell
Folger	Hubbard	Morris	Parker

Cauldwell	Genet	Humphrey	Nichols	Tweed
Chapman	Graham	Kennedy	Nicks	Van Petten
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Thayer
Campbell	Folger	Humphrey	O'Donnell	Tweed
Cauldwell	Genet	Mattoon	Parker	Van Petten
Chapman	Graham	Morris	Pierce	Williams
Creamer	Hale	Nichols		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Humphrey	Nicks	Tweed
Campbell	Genet	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Creamer	Hale	Morris	Pierce	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to lengthen the terms of office of the recorder,

and surrogate of the city and county of New York," was read

ident put the question whether the Senate would agree to the
e of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Humphrey	Nichols	Pierce
Folger	Kennedy	Nicks	Tweed
Genet	Mattoon	Norton	Van Petten
Graham	Morgan	O'Donnell	Williams
Hubbard	Morris	Parker	24

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

entitled "An act to incorporate the Warsaw Waterworks Com-
read a third time.

ident put the question whether the Senate would agree to the
e of said bill, and it was decided in the affirmative, a majority
members elected to the Senate voting in favor thereof, and
of said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Nichols	Pierce
Folger	Humphrey	Nicks	Thayer
Genet	Kennedy	O'Donnell	Tweed
Graham	Morris	Parker	Van Petten

21

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

entitled "An act to amend an act entitled 'An act in relation
n the village of Binghamton,' passed April 19, 1861, as incor-
o the charter of the city of Binghamton, in title 11 of the act
n act to incorporate the city of Binghamton,' passed April 9,
he various acts amendatory thereof," was read a third time.
ident put the question whether the Senate would agree to
assage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,
fths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hale	Morgan	O'Donnell
Folger	Hubbard	Nichols	Parker
Genet	Humphrey	Nicks	Thayer
Graham	Mattoon	Norton	Van Petten

21

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

ards moved that the committee of the whole be discharged
urther consideration of the bill entitled "An act to amend
of the Laws of 1863, entitled 'An act to authorize the forma-
railroad company, commencing at the city line in the city of
n the county of Kings, to any part of the village of Jamaica,
ty of Queens, and to purchase the franchise of the Brooklyn
a Turnpike Company,' passed May 7, 1863," and that the

same be recommitted to the committee on railroads, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to release to Rice Lewis and Ann Lewis the right of the people of the State of New York to certain real estate situated in this State of which Morris Lewis died seized," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks moved that the Senate now resolve itself into a committee of the whole upon the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein the President resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of said bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale moved that the bill entitled "An act for the more effectual suppression and punishment of bribery," be made the special order for to-day, under the order of business of special orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	O'Donnell
Beach	Folger	Kennedy	Murphy	Parker
Campbell	Graham	Mattoon	Nichols	Thayer
Cauldwell	Hale	Morgan	Nicks	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Bradley	Genet	Norton	Tweed	Williams
Creamer				

6

Mr. Chapman offered the following resolution :

Resolved, That five copies of the Manual for 1869 be furnished to each committee clerk of the Senate.

Mr. Genet moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. Tweed moved to amend said resolution, as follows :

"That they be furnished by the chairmen of the several standing committees."

Mr. Genet moved to lay the resolution and amendment upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Banks offered the following resolution :

That the Clerk be directed to procure and deliver to each Senate one copy of the Manual of the year 1869.

moved to lay the resolution upon the table.

lent put the question whether the Senate would agree to said y on the table, and it was decided in the affirmative.

ably returned the following entitled bills, with a message that occurred in the amendments made thereto by the Senate :

to incorporate the American Museum of Natural History."

to amend the charter of the city of Ogdensburgh."

to incorporate the village of Williamsville."

to legalize the action of the town meeting of the town of Can-
bruary 9, 1869."

to incorporate the Tritonen Schuetzen Company of New York."

to authorize the annual town elections of the town of Sodus,

y of Wayne, to be held by election districts."

to change the name of the Manhattan Mutual Benefit Company

f New York, to increase the number and enlarge the powers

tees, and to provide for the government and business of said

,

for the erection and maintenance of watering troughs in the
rays."

to amend an act entitled 'An act to provide for draining swamp
towns of Lima, Livonia and Avon, in the county of Livings-
April 20, 1866."

to provide for grading and improving Centre street, and mak-
lk therein and lighting the same, in the village of Peekskill."

That the Clerk return said bills to the Assembly.

ably returned the following entitled bills, with a message that

occurred in the passage of the same without amendment :

to authorize the city of Binghamton to widen the bridge over

o canal at Court street in said city."

to incorporate the New York Lumber, Manufacturing, and

t Company."

to incorporate the 'East-Side Savings Bank of Rochester.' "

to authorize the Flushing and North-Side Railroad Company

the stock of the Flushing and Woodside Railroad Company,

hase a part of the New York and Flushing railroad, and to

them into one corporation."

to authorize the construction of a railroad in 125th street, and

her streets and avenues in the city of New York."

That the Clerk deliver said bills to the Governor.

ie then resolved itself into a committee of the whole, and

to the consideration of the special order, being the bill enti-

ws :

for the more effectual suppression and punishment of bribery."

ie time spent therein the President resumed the chair, and

rom said committee, reported in favor of the passage of said

endments, which report was agreed to and said bill ordered

r a third reading.

ie again resolved itself into a committee of the whole, and

to the consideration of general orders.

ie time spent therein, the hour of 2 o'clock having arrived,

t resumed the chair and declared the Senate adjourned.

WEDNESDAY, APRIL 7, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Pierce presented a remonstrance of David Cullum and others, against the passage of an act allowing Prospect park commissioners to sell lands east of Flatbush avenue, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a petition of inhabitants of Newtown, Queens county, for act to authorize the holding of town meetings in election districts, which was read and referred to the committee of the whole.

Mr. Chapman presented a remonstrance of citizens of Broome and Delaware, against amendments of Assembly to Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Graham presented a remonstrance against any change in the trustees of Middletown Savings Bank, which was read and referred to the committee on banks.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the City Safe Deposit Company of Brooklyn, New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the City Safe Deposit Company of Brooklyn," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act for the improvement of the East and West branches of the St. Regis river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act for the improvement of the navigation of the Boquet river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for the construction of a bridge on the Cattaraugus Indian reservation, and for repairing the State bridge over the Cattaraugus creek," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to authorize fire insurance companies to loan certain funds upon real estate in other States," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act in relation to the review by assess-

assessment rolls," reported in favor of the passage of the said bill was committed to the committee of the whole.

Annell, from a majority of the committee on finance, to which the bill entitled "An act to provide for the completion and of the structures now being erected on the West bank in the city of New York for quarantine purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Annell, from a majority of the committee on finance, to which the Assembly bill entitled "An act making appropriations for the support of government," reported in favor of the passage of the bill with amendments, and said bill was committed to the committee of the whole.

Annell, from a majority of the committee on finance, to which the Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," reported in favor of the passage of the said bill was committed to the committee of the whole.

Annell, from the committee on engrossed bills, reported as corrected the bills entitled as follows:

To authorize the board of education of Union Free School district of the town of Moravia, in the county of Cayuga, to bond the said board for the purpose of building a school house, and to legalize the actions of the inhabitants therein, and of the said board of education.

To make appropriations for deficiencies in existing appropriations for the payment of existing claims and demands against the State."

To amend an act entitled 'An act to provide a supply of water for the city of Buffalo,' passed May 7, 1868."

To empower the Albany Sovereign Consistory, the Rose Croix Consistory, the Grand Council of the Princes of Jerusalem, and the Ineffable Council of the Grand Lodge of Perfection, of Masons of the Ancient and Accepted Scottish Rite, in the city of Albany, to hold and convey real estate.

To authorize the change of course of Westville creek, in the town of Middlefield and Westford, Otsego county."

To incorporate the Presbyterian Home for aged women in the city of New York."

To incorporate the village of Charlotte, in the county of Montgomery.

Correctly re-engrossed:

To authorize the construction and maintaining of a free bridge over the Schoharie river between the towns of Union and Vestal, and to amend the franchise of the Union and Vestal Bridge Company to borrow money therefor."

To amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866."

Annell, from a majority of the committee on the judiciary, to which the bill entitled "An act in relation to 'The Baptist Church of Clyde,' at Clyde, in the county of Wayne," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Annell, from the committee on roads and bridges, to which was

referred the Assembly bill entitled "An act to raise money to build a bridge in the town of Carroll, Chautauqua county, N. Y.," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to open and construct a road from Stony creek, in the county of Warren, to Wellstown, in the county of Hamilton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act relative to the New York Central Railroad Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the bill entitled "An act in relation to the East-Side Railway Company of the city of New York," reported adversely thereto.

Mr. Genet moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 140 of the Laws of 1850, relating to railroads in the State of New York," reported adversely thereto.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in James slip and Chambers street, in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Empire City Railway Company, and to authorize it to construct and operate a railway in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in Broadway and Lexington avenue, and certain other streets and avenues in the city of New York," reported adversely thereto.

Mr. Genet moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Genet, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Pierce	Tweed
Beach	Graham	Morris	Stanford	Van Petten
Cauldwell	Hubbard	Nichols	Thayer	Williams
Edwards	Humphrey	Nicks		

FOR THE NEGATIVE.

Crowley	Hale	Murphy	Parker	
Folger	Morgan	O'Donnell		9

pbell, from the committee on railroads, to which was referred bill entitled "An act to authorize the construction of a railroad in and county of Onondaga, from New Brighton to Onondaga to Patterson's Corners," reported in favor of the passage of the bill with amendments, and said bill was committed to the committee of the whole.

pbell, from the committee on railroads, to which was referred bill entitled "An act to facilitate the construction of the Cayuga railroad, and to authorize the town of Springsport, Cayuga county, to subscribe to the capital stock thereof," reported in favor of the passage of the bill with amendments, and said bill was committed to the committee of the whole.

pbell, from the committee on railroads, to which was referred bill entitled "An act to amend an act entitled 'An act to regulate the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

er moved that said bill be made the special order immediately after the present special orders are disposed of.

ident put the question whether the Senate would agree to said bill, and it was decided in the negative, two-thirds of all the Senators voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Hubbard	O'Donnell	Stanford	Van Petten	
Morris	Parker	Tweed	Williams	
Murphy	Pierce			13

FOR THE NEGATIVE.

Folger	Humphrey	Nichols	Thayer	
Genet	Morgan	Nicks		9

er, from the select committee of nine, reported the following bill, which is complete:

to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care of and control the old burying-ground in said village, adjoining the cemetery ground of said association.

to enable incorporated rural cemetery associations in the town of Schenectady to acquire title to lands where the owner or owners are willing to sell, or where the Cemetery Association and the owners agree upon the value thereof."

to incorporate the Chehocton Bridge Company in Delaware county.

to incorporate the Fidelity Safe Deposit Company of the city of Schenectady.

to authorize the supervisors of the county of Schenectady to acquire grounds for county fair and parade grounds."

to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17,

"An act to amend the charter of the Hamilton Savings Bank."

"An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860."

"An act to incorporate the Clinton County Savings Bank."

"An act to incorporate the Greenburgh Savings Bank of town of Greenburgh, Westchester county."

"An act declaring the westerly branch of St. Regis river a public highway."

"An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung."

Assembly, "An act to incorporate the Irish Brigade Association in the city of New York."

Assembly, "An act to change the boundaries of certain towns in the county of Schuyler."

"An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county."

"An act to amend an act entitled 'An act to consolidate school district No. 1, in the town of Salina, and county of Onondaga, a free school.'"

"An act in relation to charter and other officers in the city of New York."

Assembly, "An act to amend the charter of the city of Auburn."

Mr. Folger moved to except from the report of the committee the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," with a message that they non-concur in the amendments of the Senate thereto.

Mr. Tweed moved that the Senate insist upon its amendments, and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

Mr. Creamer moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Morris	Nichols	Nicks
Creamer	Graham			

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Murphy	Thayer
Bradley	Edwards	Humphrey	O'Donnell	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell	Hale	Morgan	Stanford	Williams

The President then put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the affirmative.

ge from the Assembly was received and read, in the words

IN ASSEMBLY, *April 6, 1869.*

ernor having returned the bill entitled "An act changing the e Cherry Valley and Mohawk River Railroad Company, and the construction of the road, and to exempt from certain own bonds used for the construction thereof," and the vote al passage of the same having been reconsidered; on motion W. Campbell and by unanimous consent said bill was amended out the second section thereof and by changing the number nt sections to correspond. The title of said bill was amended out the words "and to exempt from certain taxation town for the construction thereof."

ident put the question whether the Senate would agree to he vote upon the passage of said bill, and it was decided in ve, a majority of all the members elected to the Senate voting reof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Hale	Nichols	Parker	Tweed
Hubbard	Nicks	Stanford	Van Petten
Humphrey	O'Donnell	Thayer	Williams
Morris			

17

FOR THE NEGATIVE.

Folger	2
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ident then put the question whether the Senate would agree to e amendments of the Assembly, and final passage of said bill , and it was decided in the affirmative, a majority of all the ected to the Senate voting in favor thereof, and three-fifths of rs being present, as follows:

FOR THE AFFIRMATIVE.

Graham	Mattoon	O'Donnell	Thayer
Hale	Morgan	Parker	Van Petten
Hubbard	Morris	Pierce	Williams
Humphrey	Nichols		

18

FOR THE NEGATIVE.

Folger	Tweed	3
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That the Clerk return said bill to the Assembly, with a mes- ing that the Senate have concurred in the passage of the same,

l. mby sent for concurrence the bills entitled as follows:

to amend an act entitled 'An act to regulate the sale of intoxi- rs within the Metropolitan Police District of the State of New sed April 14, 1866, and to appropriate the moneys received act," which was read the first time, and by unanimous consent ad the second time.

mer moved that said bill be referred to the committee of the

onnell moved that it be referred to the committee on internal wns and counties.

ident put the question whether the Senate would agree to said fr. O'Donnell, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer	
Crowley	Humphrey	Morgan	Parker	Van Petten	
Folger	Kennedy	Nicks	Stanford	Williams	15

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Nichols	Pierce	
Beach	Creamer	Graham	Norton	Tweed	
Bradley	Edwards	Morris			13

"An act for the relief of Elizabeth Craft, widow of Edwin Craft," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to legalize the incorporation of the 'Wellsville and State Line Turnpike Company,' and to provide for increase of tolls thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the construction of an iron bridge over the Erie canal in the village of Spraker's Basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimble to construct tramways on their turnpike road, and to straighten and increase the width of the same, and to fix the tolls thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town in the counties of Otsego and Herkimer to issue bonds and take stock in said road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to regulate the sale of leaf tobacco in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act to fix the term of office of the constables of the towns in the counties of Kings and Chenango," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Commissioners of the Land Office to vacate a certain patent issued to William Hamilton to lands claimed by the widow and heirs of William Johnson, deceased, of the Oneida Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the bounds of the village of Peekskill and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village,' passed March 25, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Sixth Avenue Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to release to Thomas Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas the

the State of New York in certain moneys arising from a sale of personal property now held by the surrogate of Onondaga which was read the first time, and by unanimous consent was read the second time, and referred to the committee on the judiciary.

to amend an act entitled 'An act to amend an act passed May 2, 1868, entitled 'An act making the turnpike and bridges of the Ravens-ett's Cove and Williamsburgh Turnpike and Bridge Company providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,' passed May 2, 1868,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25, 1865, and to amend the issuing of bonds by said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

to compel joint stock companies, incorporations and associations to file the name of the service of process in civil actions, and to file the name of the person to be so served in each county in which they have an office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

to amend an act entitled 'An act authorizing and requiring the purchase of land in Franklinville, in the county of Cattaraugus, to purchase and build a railroad in said town for Buffalo and Washington Railroad Company,' passed May 6, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

to amend an act entitled 'An act to provide for the completion of the harbor improvement of the city of Brooklyn,' passed March 28, 1868, which was read the first time, and by unanimous consent was read the second time, and referred to the committee on municipal affairs.

to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857, being chapter 267 of said laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

to amend an act entitled 'An act to amend the charter of the Savings Bank,' passed April 2, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

to authorize the 'Albany Union Foundry Company' to increase its capital stock," which was read the first time, and by unanimous consent was read the second time, and referred to the committee on the judiciary.

to authorize the dredging of the deposit from Black Rock Harbor for the removal of a portion of the division wall between the harbor and the city of New York.

said harbor and the Erie canal, and appropriating money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Stuyvesant Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Little Falls Savings Bank in the village of Little Falls, Herkimer county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of the Northport, Huntington and Oyster Bay Steamboat Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Equitable Savings Institution, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of the Erie and Genesee Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Dansville Savings Bank, at Dansville, Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Citizens' Mutual Gas Light Company of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act making provisions for the support of certain dispensaries in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act providing for the partition and division of the lands and premises of the St. Regis Indians between the Protestant and Catholic denominations or parties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to extend the time for the collection of taxes in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments to schools, the powers and duties of the common council therein, and to require the Rochester Gas Light Company to extend their mains," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morgan moved that said bill be printed.

dent put the question whether the Senate would agree to said it was decided in the affirmative.

relation to evidence in criminal prosecutions, and in all pro- the nature of criminal proceedings," which was read the first y unanimous consent was also read the second time, and he committee on the judiciary.

o confirm the title of Henry Bohm to a lot of land on the le of Laight street, in the city of New York," which was t time, and by unanimous consent was also read the second rferred to the committee on the judiciary.

bly returned the following entitled bills, with a message that occurred in the amendments of the Senate thereto :

o prevent injury to the bridge over the Tioughnioga river, in Marathon, in the county of Cortland."

roviding for the taking of affidavits in other States to be used "

o amend an act entitled 'An act to open a square to be known square, in the city of Brooklyn,' passed April 23, 1867."

o amend the charter of the city of Ogdensburgh."

That the Clerk return said bills to the Assembly.

bly returned the following entitled bill, with a message that occurred in the passage of the same without amendment :

o authorize the construction of a railroad in One Hundred -fifth street, and in certain other streets and avenues in the York."

That the Clerk deliver said bill to the Governor.

nous consent, Mr. Genet asked and obtained leave to intro- titled "An act to authorize the the trustees of the Seamen's Retreat to lease a portion of the lands belonging to said hich was read the first time, and by unanimous consent was second time, and referred to the committee on the judiciary. nous consent, Mr. Morris asked and obtained leave to intro- titled "An act to amend the Laws relating to banking, and ilities to associations for establishing banks equal to those the National Currency act," which was read the first time, imous consent was also read the second time, and referred to ee on banks.

nous consent, Mr. Stanford asked and obtained leave to intro- titled "An act to provide for the construction of a vertical tow- ing path of the Erie canal in the city of Schenectady," ead the first time, and by unanimous consent was also read me, and referred to the committee on canals.

nous consent, Mr. Thayer asked and obtained leave to intro- titled "An act to provide for the incorporation of safe panies," which was read the first time, and by unanimous also read the second time, and referred to the committee on

nous consent, Mr. Stanford asked and obtained leave to intro- titled "An act to amend an act entitled 'An act fixing the es of the peace and constables in civil and criminal cases, and rrors and witnesses in justices' courts, and for other purposes,' l 20, 1866," which was read the first time, and by unani- t was also read the second time, and referred to the com- e judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Security Savings Bank of Buffalo,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the erection and maintenance of an observatory in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	Norton	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Genet	Morris	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the village of Charlotte, in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Folger	Mattoon	Nicks	Tweed
Campbell	Genet	Morgan	O'Donnell	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient Accepted Scottish Rite, in the city of Albany, to hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Norton	Tweed
Beach	Crowley	Morgan	Parker	Van Petten

Edwards	Morris	Stanford	Williams	
Genet	Nicks	Thayer		19

FOR THE NEGATIVE.

Folger	Mattoon	O'Donnell		4
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That the Clerk deliver said bill to the Assembly, and request
 rence therein.

mbly bill entitled "An act to authorize the Cohoes Gas Light
 issue bonds to pay for the enlargement and extension of their
 read a third time.

dent put the question whether the Senate would agree to
 ssage of said bill, and it was decided in the affirmative, a
 all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Chapman	Genet	Morris	Parker	
Crowley	Hubbard	Nicks	Stanford	
Edwards	Mattoon	Norton	Tweed	
Folger	Morgan	O'Donnell	Williams	20

That the Clerk return said bill to the Assembly, with a mes-
 saging that the Senate have concurred in the passage of the
 ut amendment.

mbly bill entitled "An act to amend an act entitled 'An act
 ertain proceedings of the board of supervisors of Montgomery
 in relation to the support of the poor in said county,' passed
 36," was read a third time.

dent put the question whether the Senate would agree to
 ssage of said bill, and it was decided in the affirmative, a
 all the members elected to the Senate voting in favor thereof,
 ths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Genet	Nichols	Stanford	
Creamer	Hubbard	Norton	Tweed	
Edwards	Mattoon	O'Donnell	Van Petten	
Folger	Morgan	Parker	Williams	20

That the Clerk return said bill to the Assembly, with a mes-
 saging that the Senate have concurred in the passage of the same,
 ndment.

entitled "An act to incorporate the Presbyterian Home for
 i in the city of New York," was read a third time.

ident put the question whether the Senate would agree to
 ssage of said bill, and it was decided in the affirmative, a
 all the members elected to the Senate voting in favor thereof,

FOR THE AFFIRMATIVE.

Crowley	Hubbard	Norton	Thayer	
Edwards	Mattoon	O'Donnell	Tweed	
Folger	Morgan	Parker	Van Petten	
Genet	Nichols	Stanford	Williams	
Hale	Nicks			23

That the Clerk deliver said bill to the Assembly, and request
 rence therein.

ntitled "An act to authorize the board of education of Union
 1 district No. 1, of the town of Moravia, in the county of

Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	Norton	Tweed
Campbell	Genet	Morris	O'Donnell	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," having been announced for a third reading,

On motion of Mr. Nichols and by unanimous consent said bill was amended, as follows:

Section 1, line 1, printed bill, strike out "eighty-five" and insert "seventy."

Same section, line 13, strike out "sixty" and insert "forty-five."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Pierce
Bradley	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Chapman	Hale	Morgan	Parker	Tweed
Edwards	Hubbard	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relating to bridges across the Mohawk river at Fort Plain," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Bradley	Folger	Kennedy	Norton	Thayer
Campbell	Genet	Morgan	O'Donnell	Van Petten
Chapman	Hale	Morris	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of

a,' passed April 17, 1857," having been announced for a third

ion of Mr. Morris and by unanimous consent said bill was
y striking out "600" and inserting "250" in section one.

, as amended, was then read a third time

sident put the question whether the Senate would agree to
assage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,
fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Morris	Pierce
Crowley	Hubbard	Nichols	Stanford
Edwards	Humphrey	Nicks	Thayer
Folger	Mattoon	O'Donnell	Tweed
Genet	Morgan	Parker	Van Petten 25

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

entitled "An act to amend an act entitled 'An act to provide
' water in the city of Buffalo,' passed May 7, 1868," was read
e.

sident put the question whether the Senate would agree to
assage of said bill, and it was decided in the affirmative, a
all the members elected to the Senate voting in favor thereof,
fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hale	Nichols	Pierce
Edwards	Hubbard	Nicks	Stanford
Folger	Humphrey	Norton	Tweed
Genet	Morgan	O'Donnell	Van Petten
Graham	Morris	Parker	24

That the Clerk deliver said bill to the Assembly, and request
rrerence therein.

entitled "An act for the more effectual suppression and pun-
bribery," having been announced for a third reading,
e moved to recommit said bill to the committee on the judi-
instructions to strike out the amendment made in committee
le, as follows: "Such officer, agent or inspector shall also be
dictment for the same offense, and upon conviction to impris-
the State prison for a term not exceeding five years or to a fine
ing ten thousand dollars, or both such fine and imprisonment,
retion of the court," and report the same forthwith to the

sident put the question whether the Senate would agree to said
d it was decided in the affirmative.

ford moved to take from the table the motion to reconsider
on the Assembly bill entitled "An act to amend an act enti-
ct to amend the charter of the village of Saratoga Springs,
ch 26, 1866, and for the purpose of securing a supply of pure
ome water for the use of said village,' passed May 4, 1868,
ating commissioners of construction to carry the same into

sident put the question whether the Senate would agree to said
take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford	
Campbell	Folger	Mattoon	O'Donnell	Thayer	
Cauldwell	Graham	Morgan	Parker	Van Petten	18
Chapman	Hale	Morris			

FOR THE NEGATIVE.

Bradley	Creamer	Pierce	Tweed		4
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Stanford	
Chapman	Humphrey	Morgan	O'Donnell	Thayer	
Crowley	Kennedy	Nichols	Parker	Van Petten	16
Folger					

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Pierce	
Beach	Creamer	Graham	Norton	Tweed	
Bradley	Edwards	Hubbard			13

Mr. Hale, from the committee on the judiciary, reported back the bill entitled "An act for the more effectual suppression and punishment of bribery," with amendments, as instructed by the Senate.

Mr. Genet moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Cauldwell	Genet	Tweed		4
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FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce	
Beach	Folger	Mattoon	Nicks	Stanford	
Campbell	Hale	Morgan	O'Donnell	Thayer	
Chapman	Hubbard	Morris	Parker	Van Petten	
Crowley	Humphrey	Murphy			23

Mr. Morris moved to recommit said bill to the committee on the judiciary, with instructions to strike out in line 1 of section 2, the words "as heretofore paid or offered or."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Murphy	Pierce	Tweed	
Bradley	Graham	Norton	Stanford	Van Petten	
Cauldwell	Mattoon				12

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Morris	O'Donnell	
Campbell	Edwards	Humphrey	Nichols	Parker	
Chapman	Folger	Kennedy	Nicks	Thayer	
Creamer	Hale	Morgan			18
the co					

er moved to recommit to the committee on the judiciary, with
s to amend by striking out after the word "bribe" line 2, sec-
words "to any person holding office in under the laws of this
report the same back immediately to the Senate.
ident put the question whether the Senate would agree to said
it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Humphrey	O'Donnell	Parker	
Genet	Murphy			8

FOR THE NEGATIVE.

Folger	Mattoon	Nichols	Thayer	
Hale	Morgan	Nicks	Tweed	
Hubbard	Morris	Stanford	Van Petten	15

ident then put the question whether the Senate would agree to
e committee, and it was decided in the affirmative.

That said bill be read a third time.

er, from a majority of the committee on the judiciary, to which
d the bill supplementary to chapter 29 of the Laws of 1865,
o the payment of bounties," reported in favor of the passage
e with amendments, and said bill was committed to the com-
e whole.

man, from the committee on literature, to which was referred
tled "An act to authorize the citizens of the town of Homer
nds for the completion and endowment of the Cortland
Homer," reported in favor of the passage of the same, and
s committed to the committee of the whole.

ner moved that the Senate hold a session this afternoon, com-
4 o'clock P. M., for consideration of general orders.

on moved to amend, "that the session to-day be extended
ck P. M."

ed moved to amend the motion of Mr. Norton by adding
t 2 o'clock P. M., the Senate proceed to the consideration of
ers."

er moved to lay the whole subject upon the table.

ident put the question whether the Senate would agree to said
y on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hubbard	Morris	Pierce	
Edwards	Humphrey	Murphy	Thayer	
Genet	Mattoon	Nichols	Tweed	
Graham	Morgan	Norton	Van Petten	20

FOR THE NEGATIVE.

Campbell	O'Donnell	Parker	Stanford	
Hale				7

oon moved that the Senate now proceed to the consideration
rders.

ident put the question whether the Senate would agree to said
it was decided in the affirmative, two-thirds of all the Sena-
voting in favor thereof.

te then resolved itself into a committee of the whole, and
o the consideration of general orders.

ne time spent therein, the hour of 2 o'clock having arrived,
at resumed the chair and declared the Senate adjourned.

THURSDAY, APRIL 8, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Williams presented a remonstrance of citizens of Wayne county, against any alteration of Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Messrs. Folger, Van Petten, Nicks and Humphrey presented remonstrances upon same subject, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Tweed presented a petition for extension of South street across Coenties slip, which was read and referred to the committee on municipal affairs.

Mr. Murphy presented a remonstrance of sixty inhabitants of Gravesend, against the passage of any bill laying out road from Hick's Post to Sheepshead Bay, which was read and referred to the committee on roads and bridges.

Mr. Hale presented a remonstrance of citizens of Poughkeepsie against proposed amendments to charter of Poughkeepsie, which was read and referred to the committee on municipal affairs.

A message from His Excellency the Governor, through his Private Secretary, was received and read, in relation to the establishing of a new State prison.

Ordered, That said message be referred to the committee on State prisons and printed.

(See Doc. No. 73.)

The President appointed as the committee of conference on the Assembly bill entitled "An act to amend an act entitled 'An act relative to railroads held under lease,' passed April 3, 1867," Messrs. Tweed, Parker and Folger.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist on their amendments and ask for a committee of conference, and have appointed one on the part of the Senate.

Mr. Morgau, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care and control of the old burying ground in said village, adjoining the cemetery ground of said association."

"An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds."

"An act declaring the westerly branch of St. Regis river a public highway."

"An act in relation to charter and other officers in the city of New York."

"An act to amend the charter of the Hamilton Savings Bank."

"An act to incorporate the Clinton County Savings Bank."

to enable incorporated rural cemetery associations, in the town of Arncliffe, to acquire title to lands where the owner or owners refuse to sell, or where the Cemetery Association and the owners refuse to sell, upon the value thereof."

To amend an act entitled 'An act to constitute school district No. 1 of the town of Salina and county of Onondaga, a free school.'

To authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung.

To incorporate the Chehocton Bridge Company in Delaware.

To incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county."

To authorize Sarah O'Brien, widow of Michael P. O'Brien, clerk of Richmond county, to complete the indices of records of Richmond county."

Correctly re-engrossed:

For the more effectual suppression and punishment of bribery." By unanimous consent, Messrs. Genet and Graham, from a minority of the committee on railroads, submitted a report upon the bill entitled "An act to authorize the construction of a railroad in Broadway and Lexington and certain other streets and avenues in the city of New York," which was referred to the committee of the whole and ordered

(See Doc. No. 72.)

Mr. Ford stated his dissent from the report of the committee on the Assembly bill entitled "An act to incorporate the New York Guaranty and Indemnity Company," and requested that the same be entered upon the journal.

Mr. Ford, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate Americus 6 of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ford, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Eliza McBair Sanderson and her husband," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Ford, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the trustees of the Seaman's Fund to lease a portion of the land belonging to said retreat," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ford, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the mortgaging of real estate of corporations and corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ford, from the committee on the judiciary, to which was referred the bill entitled "An act relative to lands devised by Thomas O'Brien," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ford, from the committee on the judiciary, to which was referred the bill entitled "An act to vest in the board of supervisors of Warren county additional legislative powers," reported that they have amendments thereto, and amended the title so as to read

"An act to vest in the board of supervisors of Warren county, power to change the location of the court house, jail and clerk's office in said county, and to provide for the erection of a new court house, jail and clerk's office therein," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Thos. Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas, the interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight-street, in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to the place of trial of certain offenses," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in Richmond county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to fix the terms of office of the constables of the towns of the counties of Kings and Chenango," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to regulate gas companies in the city of New York," reported adversely thereto.

Mr. Creamer moved to lay the question agreeing to the report of the committee upon the table.

President put the question whether the Senate would agree to said bill on the table, and it was decided in the affirmative.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act in relation to the village of Delhi," in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to incorporate the fire department of Binghamton," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to incorporate the Elmira Waterworks and to provide for supplying water to the city of Elmira," in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act relative to the board of revision and of assessments in the city of New York," reported in favor of the same, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to continue in office the officers of the city of Silver Creek until their successors shall hereafter be elected, and to authorize the clerk to call elections in certain cases," that they have made some amendments thereto, and amended so as to read as follows: "An act to confirm the election of the officers of the village of Silver Creek, and their acts," and as recommended its passage; said bill was committed to the committee of the whole.

Wiley, from a majority of the committee on municipal affairs, reported the bill entitled "An act to provide for the erection of a new market building on the site of the present Washington market in the city of New York," reported adversely thereto. He then moved to lay the question agreeing to the report of the committee on the table.

President put the question whether the Senate would agree to said bill on the table, and it was decided in the affirmative.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to amend the charter of the city of Albany and various sections amendatory thereof," reported adversely thereto. The report was agreed to and said bill rejected.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Guelderland," reported in favor of the same, and said bill was committed to the committee of the whole.

Wiley, from the committee on municipal affairs, to which was the bill entitled "An act to repeal chapter 489 of the Laws of 1882, entitled 'An act to provide for the construction of an experimental railway in the counties of New York and Westchester,' passed

April 22, 1867, and chapter 855 of the Laws of 1868, being 'An act supplemental to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases,' passed June 3d, 1860," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof or relating to the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to widen Vanderbelt avenue, in the city of Brooklyn,' passed May 1, 1868," reported adversely thereto.

Mr. Pierce moved to lay the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of trustees of the village of Port Richmond, for authority to raise money to improve roads, streets and highways in said village, reported for consideration, by bill entitled "An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Auburn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flush-

ssed April 15, 1837, and the several acts amendatory thereof,'
March 20, 1857," reported in favor of the passage of the same
endments, and said bill was committed to the committee of the

rowley, from the committee on municipal affairs, to which was
tted the Assembly bill entitled "An act to amend the act entitled
to amend the several acts incorporating the village of Owego, in
ty of Tioga,' passed April 9, 1851," reported in favor of the pas-
he same, and said bill was committed to the committee of the

rowley, from the committee on municipal affairs, to which was
the Assembly bill entitled "An act to open certain streets in the
Brooklyn," reported in favor of the passage of the same, and said
committed to the committee of the whole.

rowley, from the committee on municipal affairs, to which was
the Assembly bill entitled "An act making provisions for the
of certain dispensaries in the city of Brooklyn," reported in favor
ssage of the same with amendments, and said bill was committed
committee of the whole.

rowley, from the committee on municipal affairs, to which was
the Assembly bill entitled "An act to authorize the erection of
rs' and Sailors' Monument in the city of New York, and to au-
the raising of money therefor," reported in favor of the passage
ame with amendments, and said bill was committed to the com-
f the whole.

rowley, from the committee on municipal affairs, to which was
the Assembly bill entitled "An act authorizing the corporation
ity of Troy to borrow money and issue bonds therefor for the
n of the waterworks of said city," reported in favor of the pas-
the same, and said bill was committed to the committee of the

rowley, from the committee on municipal affairs, to which was
the Assembly bill entitled "An act to extend the bounds of the
f Peekskill, and to amend an act entitled 'An act to consolidate
and the several acts relating to the village of Peekskill, to alter
ids and to enlarge the powers of the corporation of said village,'
March 25, 1859," reported in favor of the passage of the same
endments, and said bill was committed to the committee of the

rowley, from the committee on municipal affairs, to which was
tted the Assembly bill entitled "An act to amend an act entitled
to incorporate the village of Mohawk,' passed April 16, 1844,"
adversely thereto.

an Petten moved to lay the report of the committee on the table.
resident put the question whether the Senate would agree to said
o lay on the table, and it was decided in the affirmative.

rowley, from the committee on municipal affairs, to which was
tted the bill entitled "An act to regulate the sale of tickets for
n to theatrical, dramatic, operatic and other public amusements
tainments in the cities of New York and Brooklyn," with power
complete, reported the same complete, which report was agreed
id bill ordered engrossed for a third reading.

mpbell, from the committee on railroads, to which was referred
mbly bill entitled "An act amending an act entitled 'An act

authorizing the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company,' passed May 6, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act relative to the Hudson Avenue Railroad Company in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act for the relief of the Erie and Genesee Valley Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to make and improve certain highways in the town of West Farms," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act in relation to the State Cabinet of Natural History," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed Jan. 25, 1865, and to authorize the issuing of bonds by said association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Nicholas Van de Bogart and Giles Y. Van de Bogart," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Clinton Stephens," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, as amended by chapter 722 of the Laws of 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on poor laws, to which was referred the Assembly bill entitled "An act in relation to statistics of the poor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Richmondville and Summit Plankroad Company to abandon all that part of their

south of Summit Four Corners and declaring said road a public highway, or to sell any portion of said road necessary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Wicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to legalize the incorporation of the Catskill and State Line Turnpike Company, and to provide for tolls thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Ward, from the committee on canals, to which was referred the bill entitled "An act to provide for the construction of a vertical wall on the west path side of the Erie canal in the city of Schenectady," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Ward, from the committee on canals, to which was referred the bill entitled "An act to appropriate moneys for paying awards made by the Canal Commissioners in 1866, for paying the expenses of sundry improvements on the canals, and for rebuilding the Oneida Lake canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Ward, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New York Pier and Warehouse Company,' passed April 28, 1865, and to authorize the construction of a railroad in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Ward, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act for the relief of the City of New York, Huntington and Oyster Bay Steamboat Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Ward, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the New York Association of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Ward, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend 'An act to amend the law relating to a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 28, 1863," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Ward, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize Forest Hill Cemetery, in the village of Forest Hill, in the city and county of Chautauqua, to acquire title to other lands, and to receive funds for that purpose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the construction of certain railroads in the city of New York, and across the Harlem river," which was read the first time, and by unanimous consent was also read the second time.

Mr. Cauldwell moved to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to aid in the construction of the Buffalo and Washington railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of the city for certain other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Mechanics' Savings Bank of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to aid the construction of the New York and Oswego Mohawk Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the New York Produce Exchange Company to increase the amount of its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the bill entitled "An act in relation to the Homœopathic hospital of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the Inebriates' Home of Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Dansville Savings Bank, at Dansville, Livingston county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2d, 1859," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Little Falls Savings Bank, in the village of Little Falls, Herkimer county, New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Wappinger's Savings Bank of Wappinger's Falls, Dutchess county, New York," reported

the passage of the same with amendments, and said bill was committed to the committee of the whole.

Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the widening of the westward streets on the Hudson river, in New York city, including Broadway," reported that they have made some amendments and amended the title so as to read as follows: "An act to provide for the widening of West street, in the city of New York," and as amended reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Palmer, from the committee on banks, to which was referred the bill entitled "An act in relation to the New York savings banks," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the payment of a rate of interest by savings banks," and as amended recommended the passage of the same; said bill was committed to the committee of the whole.

Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' passed May 5th, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Ladies' Association of Hempstead, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend chapter 115, of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Palmer, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 115 of the Laws of 1869, entitled 'An act to revise and amend the charter of the Middletown Savings Bank,' incorporated under chapter 104, of the Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Graham stated his dissent from said report, which was ordered to be entered on the journal.

Graham moved to lay the report of the committee upon the table. The President put the question whether the Senate would agree to said motion. The yeas and nays were taken, and the motion was agreed to. The report was laid on the table, when the vote was as follows:

FOR THE AFFIRMATIVE.

Creamer	Graham	Morris	Norton
Edwards	Hubbard	Murphy	Pierce
Genet	Mattoon	Nichols	Tweed

16

FOR THE NEGATIVE.

Hale	Morgan	Palmer	Thayer
Humphrey	Nicks	Parker	Van Petten
Kennedy	O'Donnell	Stanford	Williams

15

And it was decided in the affirmative, the President voting in favor thereof.

Mr. Kennedy, from the select committee of nine, reported the following entitled bills complete:

"An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' passed May 2d, 1868."

"An act to incorporate the Ontario County Savings Bank."

"An act to incorporate the Canandaigua Savings Bank in the village of Canandaigua."

Assembly, "An act to amend the charter of the Savings Bank of Utica."

Assembly, "An act to amend the charter of the Ithaca Savings Bank by adding two additional trustees."

Assembly, "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2d, 1850."

"An act to create 'The Manhattan Eye and Ear Hospital,' in the city of New York."

"An act to change the name of the 'Second Free Methodist Church of Buffalo.'"

"An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857."

"An act to amend the charter of the Missionary Society of the Methodist Episcopal Church, passed 1869."

Assembly, "An act to change the corporate title of the General Synod of the Reformed Protestant Dutch Church to that of the General Synod of the Reformed Church in America."

Assembly, "An act authorizing the General Theological Seminary of the Protestant Episcopal Church in the United States to confer honorary degrees in theology."

"An act to amend the charter of the village of Little Falls."

"An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861."

"An act in relation to the receiver of taxes and assessments for the town and village of Yonkers."

"An act to provide for the completion of the Gowanus canal, in the city of Brooklyn, and for the collection of the expenses thereof."

Assembly, "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851."

"An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose."

"An act to amend the act entitled 'An act to provide for the drainage of the low lands in the southeast part of the town of Cambria, in the county of Niagara,' passed May 9, 1868."

Assembly, "An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized."

Assembly, "An act to amend an act entitled 'An act to amend the Statutes in reference to the collection of taxes in the county of Onondaga,' passed May 9, 1867."

to provide for the laying out and opening of a highway in the Flatbush in continuation of East New York avenue."

with reference to mortgages by corporations organized under entitled 'An act to authorize the formation of corporations for mining, mechanical or chemical purposes,' passed Feb. and the acts amending or extending the same."

to amend an act entitled 'An act to amend an act to prevent from running at large in the public highways, passed April 23, to create a short bar to actions arising under said act,' passed 1867."

ly, "An act to empower the trustees of the village of Flushing county, to open a public street from Union street to Main said village, being a continuation of Amity street to Main

to amend an act entitled 'An act to authorize the extension of road or avenue, in the county of Westchester, from its terminus at Woodlawn cemetery, in the town of Yonkers, to a point at or village of White Plains,' passed April 16, 1867."

to establish a public place in the city of New York."

to authorize and empower the New York and Highland Susquehanna Bridge Railway Company to build a bridge across the Harlem

to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25th, 1865, and to the issuing of bonds by said association."

to amend an act entitled 'An act to make school district No. 1 of the town of Pomfret, a union free school district,' passed March 17,

to legalize the election of justices of the peace in the town of St. Lawrence county, and to amend the act relating to the office 'in said town, passed February 7, 1853."

to incorporate the Albany Board of Lumber Dealers."

to enable John Augustus Hill, an alien, to hold real estate."

President put the question whether the Senate would agree to the committee, and it was decided in the affirmative.

And, That said bills be engrossed for a third reading.

Mr. Morgan moved to take from the table the motion to agree to the report of the judiciary committee adverse to the Assembly bill entitled 'An act authorizing town boards in the county of Monroe to offer and receive bonds for the apprehension of criminals."

President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Morgan moved to disagree with the report of the committee, and to amend the bill to the committee of the whole.

President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Kennedy	Nichols	
Graham	Humphrey	Morgan	Parker	10

FOR THE NEGATIVE.

Crowley	Mattoon	Norton	Thayer
Folger	Morris	O'Donnell	Tweed

Campbell
Cauldwell

Genet
Hale

Murphy
Nicks

Pierce
Stanford

Williams

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Kennedy moved to take from the table the question of agreeing to the report of the select committee of nine upon the bill entitled "An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend title 7 of chapter 8, part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger moved to take from the table the concurrent resolution from the Assembly relative to the adoption of the proposed fifteenth amendment to the Constitution of the United States.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell
Chapman
Crowley
Folger

Hale
Humphrey
Kennedy
Mattoon

Morgan
Nicks
O'Donnell

Palmer
Parker
Stanford

Thayer
Van Petten
Williams

FOR THE NEGATIVE.

Banks
Bradley
Cauldwell

Creamer
Edwards
Genet

Graham
Hubbard
Morris

Murphy
Nichols
Norton

Pierce
Tweed

Mr. Murphy moved to make said resolutions the special order for "Wednesday next."

Mr. Folger moved to amend, as follows:

"That the resolution as to the Constitutional amendment be made the special order to-morrow, in the order of special orders, and that the final vote thereon be taken on Wednesday next, at once on entering the order of special orders."

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks
Campbell
Cauldwell
Chapman
Creamer
Crowley

Edwards
Folger
Genet
Graham
Hale

Humphrey
Kennedy
Mattoon
Morgan
Morris

Murphy
Nichols
Nicks
Norton
Palmer

Parker
Pierce
Stanford
Tweed
Williams

FOR THE NEGATIVE.

O'Donnell

Thayer

Van Petten

y moved to reconsider the vote just taken.
 nt put the question whether the Senate would agree to said
 was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Nichols	Parker	
Creamer	Hubbard	Norton	Pierce	
Edwards	Morris	O'Donnell	Tweed	
Genet	Murphy			18

FOR THE NEGATIVE.

Humphrey	Morgan	Stanford	Van Petten	
Kennedy	Nicks	Thayer	Williams	10

n moved that the Senate do now adjourn.
 nt put the question whether the Senate would agree to said
 was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Graham	Tweed	3
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FOR THE NEGATIVE.

Folger	Kennedy	Nichols	Pierce	
Genet	Mattoon	Nicks	Stanford	
Hale	Morgan	O'Donnell	Thayer	
Hubbard	Morris	Palmer	Van Petten	
Humphrey	Murphy	Parker	Williams	16

y moved to amend the resolution of Mr. Folger, as follows :
 all after "Wednesday next," and insert "at half-past one

ell moved to amend, "that said resolution be made the spe-
 o'clock to-day, and that the final vote be taken at 2 o'clock

nt put the question whether the Senate would agree to said
 O'Donnell, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Morgan	O'Donnell	Thayer	Van Petten	
Nicks	Palmer	Tweed		9

FOR THE NEGATIVE.

Edwards	Hale	Mattoon	Parker	
Folger	Hubbard	Morris	Pierce	
Genet	Humphrey	Murphy	Stanford	
Graham	Kennedy	Nichols	Williams	20

ell moved to amend, "that said resolution be made the
 t 1 o'clock to-day, and be made the special order from day
 sposed of."

nt put the question whether the Senate would agree to said
 was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Crowley	Morgan	Palmer	Tweed	
Humphrey	O'Donnell	Thayer		9

FOR THE NEGATIVE.

Edwards	Hubbard	Nichols	Pierce	
Folger	Kennedy	Nicks	Stanford	

Cauldwell	Genet	Mattoon	Norton	Van Petten	
Chapman	Graham	Morris	Parker	Williams	
Creamer	Hale	Murphy			23

The President then put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce	
Beach	Edwards	Humphrey	Nichols	Stanford	
Bradley	Genet	Kennedy	Norton	Thayer	
Campbell	Graham	Mattoon	Palmer	Tweed	
Cauldwell	Hale	Morris	Parker	Van Petten	26
Chapman					

FOR THE NEGATIVE.

Crowley	Morgan	Nicks	O'Donnell	Williams	
Folger					6

Mr. Williams moved to amend, "that said resolution be also made the special order for Tuesday next, under the order of business of special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell moved to amend, "that they be made the special order from day to day until Wednesday next."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Stanford	
Beach	Edwards	Kennedy	Nicks	Thayer	
Bradley	Genet	Mattoon	Norton	Tweed	
Campbell	Graham	Morgan	Palmer	Van Petten	
Cauldwell	Hale	Morris	Parker	Williams	
Chapman	Hubbard	Murphy	Pierce		29

FOR THE NEGATIVE.

Crowley	Folger	O'Donnell			3
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Mr. Stanford gave notice that he would, on some future day, move to suspend rule 40, for the purpose of allowing him to move a reconsideration of the vote on the final passage of the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the grading of a street in the city of Newburgh,' passed May 6, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to regulate the sale and power of illuminating gas in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

Mr. Norton moved to refer said bill to the committee on manufactures.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to the agencies of such companies,' passed June 24, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend chapter 234 of the Laws of 1845, in relation to suits against foreign corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of benevolent, charitable and missionary societies, and the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to regulate and restrict the organization of savings banks and institutions for savings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Thayer
Beach	Edwards	Hubbard	O'Donnell	Tweed
Bradley	Genet	Humphrey	Parker	Van Petten
Campbell	Graham	Mattoon	Stanford	Williams
Cauldwell				

21

FOR THE NEGATIVE.

Folger	Kennedy	Morgan	Nichols	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the correction of errors in the equalization of the assessments in the county of Columbia, as made by the board of supervisors," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Stanford
Bradley	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Edwards	Hubbard	Nicks	Pierce	Van Petten
Folger	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cauldwell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to authorize the Clipper Mower

and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Nichols moved to recommit said bill to the committee on manufactures, with instructions to strike out the provision permitting said company to mortgage its personal property.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act for the more effectual suppression and punishment of bribery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	Nicks	Stanford
Chapman	Hale	Morgan	O'Donnell	Thayer
Creamer	Hubbard	Morris	Palmer	Van Petten
Crowley	Humphrey	Murphy	Parker	Williams
Edwards				

26

FOR THE NEGATIVE.

Bradley	Cauldwell	Genet	Norton	Tweed
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Thayer, from the committee on manufactures, to which was recommitment the bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock," reported the same back with the amendments thereto, as instructed by the Senate, and recommend its passage, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer
Bradley	Graham	Morgan	Palmer	Tweed
Campbell	Hubbard	Morris	Parker	Van Petten
Cauldwell	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy			

22

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Chehocton Bridge Company in Delaware county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Norton	Tweed
Cauldwell	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris	Pierce	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Crowley	Humphrey	Nichols	Pierce	Williams
Edwards	Kennedy	Nicks	Stanford	

24

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Hamilton Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Folger	Kennedy	Nicks	Pierce
Bradley	Genet	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Palmer	Williams
Creamer	Hubbard	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Palmer moved that the committee on charitable and religious societies be discharged from the further consideration of the bill entitled "An act in aid of the City Orphan Home of the New York Juvenile Guardian Society, and the support of said home and the industrial schools of said city," and petition accompanying the same, and that they be referred to the committee on finance.

Assembly, "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins and to enlarge the powers of the corporation of said village,' passed April 3, 1861."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 17, 1868."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown and the several acts amendatory thereof, and to extend the boundary of said village.'"

Assembly, "An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company, and to authorize the election of fifteen directors to manage its affairs."

Assembly, "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego."

Assembly, "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers."

Assembly, "An act to prevent injury to the bridge over the Tiohoga river, in the town of Marathon, in the county of Cortland."

"An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to enable the board of public instruction in the city of Albany to obtain sites for school houses."

"An act to incorporate the American Museum of Natural History."

"An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

Assembly, "An act to designate the place of holding the meetings of the board of supervisors of Oswego county, to regulate the compensation of members thereof."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Beach offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Beach	Folger	Nichols	4
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FOR THE NEGATIVE.

Campbell	Humphrey	Mattoon	Morris	Van Petten
Graham	Kennedy	Morgan	Nicks	Williams

Mr. Graham moved a call of the roll, to ascertain whether a quorum was present.

The Clerk called the roll, when the following Senators responded to their names :

Banks	Folger	Kennedy	Morris	Van Petten	
Beach	Graham	Mattoon	Nichols	Williams	
Campbell	Humphrey	Morgan	Nicks		14

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Nicks	
Beach	Graham				7

FOR THE NEGATIVE.

Campbell	Mattoon	Morris	Van Petten	Williams	
Humphrey	Morgan				7

Mr. Mattoon moved a call of the Senate.

Mr. Graham moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Graham	Kennedy	Nichols	
Beach					6

FOR THE NEGATIVE.

Campbell	Mattoon	Morris	Van Petten	Williams	
Humphrey	Morgan	Nicks			8

Mr. Morgan moved that the Sergeant-at-Arms be directed to bring in such Senators as are present in the cities of Albany and Troy.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Humphrey	Morgan	Nicks	Van Petten	
Campbell	Kennedy	Morris	Thayer	Williams	
Folger	Mattoon	Nichols			13

FOR THE NEGATIVE.

Beach	Graham				2
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Mr. Humphrey moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Kennedy moved to amend the motion of Mr. Morgan by striking out "city of Troy."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, as amended, and it was decided in the affirmative.

Mr. Mattoon moved that the Senate proceed to the consideration of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867.'"

"An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district."

"An act to provide sites for armories for the Seventh and Seventy-first Regiments of the National Guard of the State of New York."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company, in the town of Warsaw."

Assembly, "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad.'"

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

"An act with reference to juries in the district courts of the city of New York."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

After some time spent therein the President resumed the chair, and

Mr. Morris, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Morris, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Williams moved that the first entitled bill, with amendments, be reprinted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable John Augustus Hill, an alien, to hold real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate of the city and county of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from a majority of the committee on insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the Metropolitan Guaranty and Indemnity Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Humphrey and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to incorporate the Warsaw Waterworks Company," and the same recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Chapman and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton, in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," and the same recommitted to the committee on literature, with power to report complete.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to amend the charter of the village of Gouverneur, in the county of St. Lawrence."

"An act to fix the salaries of the assessors and overseer of the poor in the city of Utica."

"An act to incorporate the Lordville and Equinunk Bridge Company."

"An act to amend the charter of the International Insurance Company of the city of New York."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled as follows:

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, in the counties of Orange, New York or Kings, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Nicks moved that the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," be made the special order on Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Beach, the Senate adjourned.

MONDAY, APRIL 5, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Potter.

The journal of Saturday was read and approved.

Mr. Kennedy presented a petition of inhabitants of Homer, asking for the completion of endowment of Cortland academy, at Homer, which was read and referred to the committee on literature.

Mr. Kennedy presented a remonstrance of John A. Clark and others, against the bill authorizing the Syracuse and Onondaga Stone Quarry Railroad Company to purchase title to land of Onondaga Indian reservation, which was read and referred to the committee on Indian affairs.

Mr. Nicks presented a remonstrance against amending the charter of Elmira, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition of citizens of Binghamton, for an act authorizing further bonding for water purposes, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to incorporate the village of Whitestone, in Queens county."

"An act to amend the charter of the Guardian Savings Institution."

"An act to authorize the rebuilding the bridge across the Mohawk river at Finck's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manhattan and Danube."

"An act relating to the House of Mercy, New York."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act to increase the powers of the Sisterhood of Saint Mary, a corporation."

"An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of Chautauqua,' passed April 17, 1857."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to amend an act entitled 'An act to establish and amend the charter of the village of Deposit,' passed March 2, 1858, and the acts amendatory thereof."

"An act to incorporate 'The New York Seamen's Association.'"

"An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock."

"An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water."

"An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes."

"An act to incorporate the Port Morris Warehouse and Elevator Co."

"An act to extend the boundaries of the village of Geddes, in the county of Onondaga."

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company in the town of Warsaw."

"An act to authorize the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall."

"An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to incorporate the village of Port Henry."

"An act to incorporate the Harlem Yacht Club."

"An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848.'"

"An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road."

"An act to provide for the correction of errors in the equalization of the assessments in the county of Columbia, as made by the board of supervisors."

"An act to regulate and restrict the organization of savings banks and institutions for savings."

The President presented a resolution of the common council of New York, against passage of Assembly bill entitled "An act for the relief of the Tenth street and Broadway stage line of New York city," which was read and referred to the committee on municipal affairs.

Also, the 44th annual report of the Managers of the Society for the Reformation of Juvenile Delinquents, which was laid on the table and ordered printed.

(See Assembly Doc. No. 30.)

Also, resolutions of the Chamber of Commerce of the State of New York, relative to amendments of harbor laws, which were laid on the table and ordered printed.

(See Doc. No. .)

Mr. Cauldwell moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act relative to lands devised by Thomas O'Brien, deceased."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Cauldwell moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act in relation to the place of trial of certain offenses," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the Warsaw Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorize the deepening of a culvert under the Genesee Valley canal near lock No. 2," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the citizens of the town of Homer to issue bonds for the completion and enlargement of the Cortland academy, at Homer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to lay out, extend and work Fairmount avenue, in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866," with a message that they have concurred in the passage thereof with the following amendments:

Section 4, line 6, engrossed bill, after the word "but" strike out the words "the last sentence of." Line 25, same section, after the word "such" insert the words "board of." Line 28, same section, after the word "said" insert the words "board of." Line 31, same section, after the word "the" insert the words "board of."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The bill entitled "An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Creamer	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Henkimer,' passed April, 1832, passed April 1, 1854,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 5, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Tweed
Beach	Edwards	Kennedy	O'Donnell	Van Petten
Bradley	Folger	Morgan	Thayer	Williams
Campbell	Graham			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the village of Whitestone, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Graham	Nicks	Tweed	
Beach	Cauldwell	Morgan	O'Donnell	Van Petten	
Bradley	Edwards	Morris	Thayer	Williams	15

FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Kennedy	Nichols	5
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Mr. O'Donnell moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize Danford Mott to establish and maintain a ferry across Lake Champlain at Rouse's Point, in the town of Champlain, in the county of Clinton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed	
Beach	Chapman	Humphrey	Nichols	Van Petten	
Bradley	Edwards	Kennedy	Nicks	Williams	
Campbell	Folger	Morgan	Thayer		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the protection of bridges over the Chemung river in the town of Corning, in the county of Steuben," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for enforcing the liens of inn keepers, boarding house keepers, mechanics, workmen or bailees, upon chattel property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed
Beach	Chapman	Humphrey	Nicks	Van Petten
Bradley	Edwards	Kennedy	Thayer	Williams
Campbell	Folger	Morgan		

18

FOR THE NEGATIVE.

Nichols	O'Donnell			
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed

Campbell	Edwards	Nichols	Pierce	Van Petten	18
Cauldwell	Genet	Nicks			

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford	
Beach	Edwards	Humphrey	O'Donnell	Thayer	
Bradley	Genet	Morris	Parker	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	
Cauldwell					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to alter the map or plan of the city of New York, by extending South street across Coenties slip," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to alter the commissioners' map of the city of Brooklyn by closing Graham street between Flushing avenue and River street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act in relation to the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act in relation to the Homœopathic Hospital in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the Forest Hill Cemetery in the village of Fredonia and county of Chautauqua to acquire title to other lands, and to use their funds for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to provide for the construction of a bridge on the Cattaraugus Indian Reservation, and for repairing the State bridge over the Cattaraugus creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate the fire department of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act relating to and regulating the business of fire and marine individual underwriters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to vest in the board of supervisors of Warren county certain legislative powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Berge Choral Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to prohibit the use of steam on the Second avenue, in the city of New York," and the same recommitted to the committee on railroads, with power to report complete.

The bill entitled "An act to incorporate the East-Side Savings Bank of Rochester." was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Thayer
Beach	Hale	Mattoon	Norton	Tweed
Campbell	Hubbard	Morgan	Parker	Van Petten
Cauldwell	Humphrey	Nichols	Stanford	Williams
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer
Beach	Genet	Morgan	Parker	Tweed

Bradley	Hale	Morris	Pierce	Van Petten	
Campbell	Hubbard	Nichols	Stanford	Williams	
Cauldwell	Humphrey	Nicks			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Graham	Morgan	Norton	Thayer	
Campbell	Hubbard	Morris	Parker	Tweed	
Cauldwell	Humphrey	Nichols	Pierce	Van Petten	
Chapman	Kennedy	Nicks	Stanford	Williams	
Edwards	Mattoon				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the more effectual suppression and punishment of bribery," having been announced for a third reading,

Mr. Chapman moved to recommit said bill to the committee of the whole, and that it be made the special order and considered in the first committee of the whole after the preferred calendar is disposed of, and that said bill be immediately printed and placed on the files of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce	
Bradley	Edwards	Humphrey	Murphy	Tweed	
Cauldwell	Genet	Kennedy	Nichols	Williams	
Chapman	Graham	Mattoon	Norton		19

FOR THE NEGATIVE.

Campbell	Folger	Morgan	O'Donnell	Stanford	
Crowley	Hale	Nicks	Parker	Thayer	10

The bill entitled "An act in relation to legislative printing, and to exclude, in printing, superfluous matter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Nichols	Parker	
Campbell	Genet	Kennedy	Nicks	Thayer	
Crowley	Graham	Morgan	Norton	Tweed	
Edwards	Hale	Morris	O'Donnell		19

FOR THE NEGATIVE.

Cauldwell	Chapman	Hubbard	Van Petten	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to divide the district designated by the act entitled 'An act to promote the public health in the town of New Utrecht, in the county of Kings,' passed April 13, 1859, and to provide for the draining of the ponds and other places in such districts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Murphy	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	Parker	Tweed
Chapman	Graham	Morris	Pierce	Van Petten
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of John Edwards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Morgan	Nicks	Stanford
Campbell	Graham	Morris	Norton	Thayer
Cauldwell	Hale	Murphy	Parker	Tweed
Edwards	Kennedy	Nichols	Pierce	Van Petten
Folger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for grading and improving Centre street, and making a sidewalk therein and lighting the same, in the village of Peekskill," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Stanford
Bradley	Edwards	Humphrey	Nicks	Thayer
Campbell	Folger	Kennedy	Parker	Tweed
Cauldwell	Genet	Mattoon	Pierce	Van Petten
Chapman	Graham	Morgan		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the erection and maintenance of watering troughs in the public highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Parker	Tweed
Bradley	Graham	Morris	Pierce	Van Petten
Cauldwell	Hale	Nichols	Stanford	Williams
Chapman	Humphrey	Nicks	Thayer	19

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Thayer
Beach	Edwards	Humphrey	Norton	Tweed
Bradley	Genet	Kennedy	Parker	Van Petten
Campbell	Graham	Morgan	Pierce	Williams
Chapman				21

FOR THE NEGATIVE.

Folger Morris Nicks 3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the annual town elections of the town of Sodus, in the county of Wayne, to be held by election districts," having been announced for a third reading,

On motion of Mr. Williams and by unanimous consent said bill was amended, as follows:

Section 5. Strike out "so" and insert "otherwise."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	O'Donnell	Thayer
Beach	Edwards	Morgan	Parker	Van Petten
Campbell	Genet	Nicks	Stanford	Williams
Cauldwell	Graham	Norton		18

FOR THE NEGATIVE.

Morris Nichols

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Morris	Norton	Stanford
Campbell	Graham	Murphy	Parker	Tweed
Cauldwell	Hale	Nichols	Pierce	Williams
Edwards	Hubbard	Nicks		

18

FOR THE NEGATIVE.

Chapman	Humphrey	Kennedy	O'Donnell	Van Petten
Folger				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the completion of Atlantic avenue, in the city of Brooklyn, and for the collection of the expenses of the same as provided by law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Norton	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Morris	Parker	Tweed
Chapman	Hubbard	Murphy	Pierce	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish a capital police district, and provide for the government thereof,' passed May 8, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer
Beach	Folger	Nichols	Parker	Tweed
Campbell	Genet	Nicks	Pierce	Van Petten
Cauldwell	Graham	Norton	Stanford	Williams
Chapman	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to open a square to be known as Lafayette square, in the city of Brooklyn,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Pierce
Campbell	Genet	Morris	Norton	Thayer
Cauldwell	Graham	Murphy	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Edwards	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act confirming the title of the First Congregational Society of Saratoga Springs to the real estate which has been conveyed to it, and authorizing said society to sell a portion of its property and to lease any portion thereof, and confirming all leases thereof made," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Tweed
Beach	Edwards	Humphrey	O'Donnell	Van Petten
Campbell	Folger	Mattoon	Parker	Williams
Cauldwell	Genet	Morris	Pierce	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for draining swamp lands in the towns of Lima, Livonia and Avon, in the county of Livingston,' passed April 20, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	O'Donnell	Thayer
Campbell	Genet	Morris	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Chapman	Humphrey	Nicks	Stanford	Williams
Edwards	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Tritonen Schuetzen Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Creamer	Mattoon	Nicks	Pierce
Campbell	Folger	Morgan	Norton	Stanford
Cauldwell	Graham	Morris	O'Donnell	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release certain escheated lands to the legatees of Mary Milroy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Parker
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Folger	Kennedy	Nicks	Tweed
Chapman	Genet	Mattoon	Norton	Van Petten
Creamer	Graham	Morgan	O'Donnell	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the action of the town meeting of the town of Canton, held February 9, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed
Campbell	Folger	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams
Chapman	Hale	Nichols		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize and confirm the acts of trustees of the village of Rome in determining the terms of office of the trustees of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Thayer
Beach	Folger	Morgan	O'Donnell	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Chapman	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the city of Ogdensburg," having been announced for a third reading,

On motion of Mr. Parker and by unanimous consent said bill was amended, as follows:

Last section, strike out the word "determined" and insert "ascertained."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	O'Donnell	Thayer
Beach	Edwards	Mattoon	Parker	Tweed
Campbell	Folger	Nichols	Pierce	Van Petten
Chapman	Graham	Nicks	Stanford	Williams
Creamer	Hale	Norton		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the town of Lumberland, in the county of Sullivan, to issue bonds to build a bridge across the Delaware river at Decker's dock, in the said town of Lumberland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Bradley	Graham	Morris	Parker	Tweed
Campbell	Hale	Nichols	Pierce	Williams
Cauldwell	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Genet, from the committee on railroads, to which was recommitted the bill entitled "An act to prohibit the use of steam on the Second avenue in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Norton	Stanford
Beach	Edwards	Kennedy	Parker	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Campbell	Graham			

17

FOR THE NEGATIVE.

Chapman	Creamer	Hale	Morgan	Nichols
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Genet, from a majority of the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of the Fulton Ferry, Christopher Street and Hudson River Railroad Company, in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts and proceedings of Elias W. Payne as justice of the peace of the town of Shelter Island, county of Suffolk," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the bill entitled "An act to incorporate the Waddington Agricultural Society," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act providing for the appraisal and payment of the damages of the Seneca Nation of Indians, caused by raising the banks of the feeder on the Oil Springs Reservation supplying water to the Gene see Valley canal," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to equalize the terms of office of all local judges in the city and county of New York," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to lengthen the terms of office of the recorder, city judge, and surrogate in the city and county of New York," and as amended, recommend its passage.

On motion of Mr. Creamer and by unanimous consent the rules were suspended, and said bill recommitted to the committee on the judiciary, with power to report complete.

By unanimous consent, Mr. Kennedy moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to extend the boundaries of the village of Geddes," and that the same be recommitted to the committee on municipal affairs, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to the bill entitled "An act to provide for the construction of the Central Elevated Patented railway in New York city," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Creamer moved that the committee on insurance companies be discharged from the further consideration of the bill entitled "An act to regulate the forfeiture of policies of life insurance," and that the same be referred to the committee of the whole.

Mr. Creamer moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Morgan offered the following resolution:

Resolved, That the papers on file relating to the claim of Brackett H.

Clark and others be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Mr. Cauldwell moved to take from the table the question of agreeing to the report of the committee on the erection and division of towns and counties, adverse to the Assembly bill entitled "An act to annex part of the town of New Rochelle to the town of Scarsdale, in the county of Westchester, and to alter the boundaries thereof."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to extend the time for the completion of the Buffalo city railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Pierce offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Humphrey moved to amend, as follows:

"That Senators desiring leave of absence have leave granted to be absent until Monday evening next at 7 o'clock."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morris	Norton	Thayer
Cauldwell	Humphrey	Murphy	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
Folger	Morgan	Nicks		
				18

FOR THE NEGATIVE.

Bradley	Chapman	Genet	Pierce	Tweed
Campbell	Creamer	Graham		
				8

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Murphy	Pierce	Tweed
Cauldwell	Genet			
				7

FOR THE NEGATIVE.

Banks	Graham	Morgan	Nicks	Thayer
Campbell	Hale	Morris	Norton	Van Petten
Chapman	Humphrey	Nichols	Stanford	Williams
Folger	Kennedy			
				17

By unanimous consent, Mr. Morgan moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,'

passed April 17, 1863," and that the same be recommitted to the committee on municipal affairs, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Van Petten moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize the rebuilding of the bridge across the Mohawk river at Finck's Basin, and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube," and that the same be recommitted to the committee on roads and bridges, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Tweed and by unanimous consent the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to establish a capital police district, and to provide for the government thereof,' passed May 8, 1868."

"An act to provide for the completion of Atlantic avenue, in the city of Brooklyn, and for the collection of the expenses of the same as provided by law."

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

"An act to provide for the appointment of an additional number of notaries public in the city of New York, and in the several Assembly districts of this State."

"An act to prohibit the use of steam on the Second avenue, in the city of New York."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

Assembly, "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout."

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Kennedy, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to amend chapter 280, section 73 of the Laws of 1847, relating to a reporter of the Supreme Court."

Ordered, That the Clerk return said bill to the Assembly.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate adjourned.

SATURDAY, APRIL 3, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Searle.

The journal of yesterday was read and approved.

Mr. Humphrey presented a petition of citizens of Middletown, Orange county, in relation to a savings bank, which was read and referred to the committee on banks.

Mr. Nicks presented a remonstrance of citizens of Prattsburgh against any division of Steuben county, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Van Petten presented three remonstrances against rebuilding Finck's bridge, by James Feeter and others, which were read and referred to the committee on roads and bridges.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to release to the widow and children of Thos. Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867."

"An act in relation to the 'Homœopathic Medical College of the State of New York,' in New York city."

"An act to incorporate the United States Railroad Conductors' Life Insurance Company."

"An act to donate to the American Museum of Natural History, a collection from the duplicate specimens of Natural History belonging to the State."

"An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester."

"An act to amend chapter 531 of the Laws of 1866, entitled 'An act to amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212, of the Independent Order of Odd Fellows of Northern New York, in the village of Albion, in the county of Orleans.'"

"An act for the protection of bridges over the Chemung river in the town of Corning, in the county of Steuben."

"An act authorizing the raising of money to build and maintain a bridge across Byram river at East Portchester, in the county of Westchester."

"An act to provide for enforcing the liens of inn keepers, boarding house keepers, mechanics, workmen or bailees, upon chattel property."

"An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867."

"An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare."

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the rebuilding of the bridge across the Mohawk river at Finck's Basin, and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the rebuilding of the bridge over that part of the Seneca river not used for canal purposes between the towns of Lysander and Salina, in Onondaga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 1 of chapter 182 of Laws of 1846, in relation to recording of wills," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the auditing and payment of the claim of Francis Hubbard, late of Hopkinton, St. Lawrence county, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of certain electors of the town of Hanover, Chautauqua county, for a change in the manner of holding town elections, reported by bill entitled "An act to change the manner of holding town elections for the election of town officers in the town of Hanover, in the county of Chautauqua," which was read the first time, and by unanimous consent

was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the better protection of livery stable keepers and those who keep and board horses," reported that they have made some amendments thereto, and amended the title so as to read "An act for the better protection of those who pasture, keep or board horses or other animals," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 22, chapter 7, title 4, part 1 of the Revised Statutes, and section 57, chapter 12, title 2, part 1 of the same," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 2 of title 2 of chapter 1 of part 2 of the Revised Statutes, in relation to trustees," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to appointment of interpreters in civil justices and other courts in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the acknowledgment of deeds and other written instruments relating to real property," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the 10th section of an act entitled 'An act to repeal chapter 410, passed April 14, 1860, and chapter 303, passed April 17, 1861, and to divide the crime of murder into two degrees, and to prescribe the punishment of arson,' passed April 12, 1862," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to extend the boundaries of the village of Geddes, in the county of Onondaga," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bond and mortgage,' passed April 17, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on State prisons, to which was referred the bill entitled "An act to abolish certain punishments in the several prisons and penitentiaries of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Superintendent of the Banking Department, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Superintendent of

the Banking Department, and for distribution by him to savings banks, 2,000 copies of the report on savings banks, and 1,000 copies for the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the Wappinger's Falls Savings Bank of Wappinger's Falls, Dutchess county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in relation to a public park in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the Home Life Insurance Company, the certificate of the incorporation of which was filed April 28th, 1860, under the provisions of an act entitled 'An act to provide for the incorporation of life and health insurance companies,' passed June 24, 1853, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to provide for building an iron bridge over that part of the Seneca river used for canal purposes, where a bridge now stands, at Cold Spring, between the towns of Lysander and Salina, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents, in the city of New York,' passed March 29, 1824," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the charter of the 'Great Western Life Insurance Company of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act in relation to the New York savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the village of Green Island, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate, grade and macadamize certain pieces of highway in the town of Westchester, in the county of Westchester, and known as the Fort Schuyler, Pelham Bridge, West Farms, Williams Bridge, and Westchester and East Chester roads and Union avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins and to enlarge the powers of the corporation of said village,' passed April 3, 1861."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 17, 1868."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown and the several acts amendatory thereof, and to extend the boundary of said village.'"

Assembly, "An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company, and to authorize the election of fifteen directors to manage its affairs."

Assembly, "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego."

Assembly, "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers."

Assembly, "An act to prevent injury to the bridge over the Tioughnioga river, in the town of Marathon, in the county of Cortland."

"An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to enable the board of public instruction in the city of Albany to obtain sites for school houses."

"An act to incorporate the American Museum of Natural History."

"An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

Assembly, "An act to designate the place of holding the meetings of the board of supervisors of Oswego county, to regulate the compensation of members thereof."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Beach offered the following resolution:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Beach	Folger	Nichols	4
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FOR THE NEGATIVE.

Campbell	Humphrey	Mattoon	Morris	Van Petten	
Graham	Kennedy	Morgan	Nicks	Williams	10

Mr. Graham moved a call of the roll, to ascertain whether a quorum was present.

The Clerk called the roll, when the following Senators responded to their names :

Banks	Folger	Kennedy	Morris	Van Petten	
Beach	Graham	Mattoon	Nichols	Williams	
Campbell	Humphrey	Morgan	Nicks		14

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Nicks	
Beach	Graham				7

FOR THE NEGATIVE.

Campbell	Mattoon	Morris	Van Petten	Williams	
Humphrey	Morgan				7

Mr. Mattoon moved a call of the Senate.

Mr. Graham moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Graham	Kennedy	Nichols	
Beach					6

FOR THE NEGATIVE.

Campbell	Mattoon	Morris	Van Petten	Williams	
Humphrey	Morgan	Nicks			8

Mr. Morgan moved that the Sergeant-at-Arms be directed to bring in such Senators as are present in the cities of Albany and Troy.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Humphrey	Morgan	Nicks	Van Petten	
Campbell	Kennedy	Morris	Thayer	Williams	
Folger	Mattoon	Nichols			13

FOR THE NEGATIVE.

Beach	Graham				2
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Mr. Humphrey moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Kennedy moved to amend the motion of Mr. Morgan by striking out "city of Troy."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, as amended, and it was decided in the affirmative.

Mr. Mattoon moved that the Senate proceed to the consideration of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867.'"

"An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district."

"An act to provide sites for armories for the Seventh and Seventy-first Regiments of the National Guard of the State of New York."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company, in the town of Warsaw."

Assembly, "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad.'"

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

"An act with reference to juries in the district courts of the city of New York."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

After some time spent therein the President resumed the chair, and

Mr. Morris, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Morris, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Williams moved that the first entitled bill, with amendments, be reprinted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable John Augustus Hill, an alien, to hold real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate of the city and county of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from a majority of the committee on insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the Metropolitan Guaranty and Indemnity Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Humphrey and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to incorporate the Warsaw Waterworks Company," and the same recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Chapman and by unanimous consent the rules were suspended, and the committee of the whole discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton, in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," and the same recommitted to the committee on literature, with power to report complete.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to amend the charter of the village of Gouverneur, in the county of St. Lawrence."

"An act to fix the salaries of the assessors and overseer of the poor in the city of Utica."

"An act to incorporate the Lordville and Equinunk Bridge Company."

"An act to amend the charter of the International Insurance Company of the city of New York."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled as follows:

"An act to authorize any life or fire insurance, or any trust or loan company, or any savings bank, in the counties of Orange, New York or Kings, to invest their funds or deposits in the bonds issued pursuant to any law of this State, by the village of Middletown, Orange county, for the purpose of constructing waterworks."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Nicks moved that the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," be made the special order on Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Beach, the Senate adjourned.

MONDAY, APRIL 5, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Potter.

The journal of Saturday was read and approved.

Mr. Kennedy presented a petition of inhabitants of Homer, asking for the completion of endowment of Cortland academy, at Homer, which was read and referred to the committee on literature.

Mr. Kennedy presented a remonstrance of John A. Clark and others, against the bill authorizing the Syracuse and Onondaga Stone Quarry Railroad Company to purchase title to land of Onondaga Indian reservation, which was read and referred to the committee on Indian affairs.

Mr. Nicks presented a remonstrance against amending the charter of Elmira, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition of citizens of Binghamton, for an act authorizing further bonding for water purposes, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to incorporate the village of Whitestone, in Queens county."

"An act to amend the charter of the Guardian Savings Institution."

"An act to authorize the rebuilding the bridge across the Mohawk river at Finck's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube."

"An act relating to the House of Mercy, New York."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act to increase the powers of the Sisterhood of Saint Mary, a corporation."

"An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of Chautauqua,' passed April 17, 1857."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to amend an act entitled 'An act to establish and amend the charter of the village of Deposit,' passed March 2, 1858, and the acts amendatory thereof."

"An act to incorporate 'The New York Seamen's Association.'"

"An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock."

"An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water."

"An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes."

"An act to incorporate the Port Morris Warehouse and Elevator Co."

"An act to extend the boundaries of the village of Geddes, in the county of Onondaga."

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company in the town of Warsaw."

"An act to authorize the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall."

"An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to incorporate the village of Port Henry."

"An act to incorporate the Harlem Yacht Club."

"An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848."

"An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road."

"An act to provide for the correction of errors in the equalization of the assessments in the county of Columbia, as made by the board of supervisors."

"An act to regulate and restrict the organization of savings banks and institutions for savings."

The President presented a resolution of the common council of New York, against passage of Assembly bill entitled "An act for the relief of the Tenth street and Broadway stage line of New York city," which was read and referred to the committee on municipal affairs.

Also, the 44th annual report of the Managers of the Society for the Reformation of Juvenile Delinquents, which was laid on the table and ordered printed.

(See Assembly Doc. No. 30.)

Also, resolutions of the Chamber of Commerce of the State of New York, relative to amendments of harbor laws, which were laid on the table and ordered printed.

(See Doc. No. .)

Mr. Cauldwell moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act relative to lands devised by Thomas O'Brien, deceased."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Cauldwell moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act in relation to the place of trial of certain offenses," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the Warsaw Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorize the deepening of a culvert under the Genesee Valley canal near lock No. 2," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the citizens of the town of Homer to issue bonds for the completion and enlargement of the Cortland academy, at Homer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to lay out, extend and work Fairmount avenue, in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866," with a message that they have concurred in the passage thereof with the following amendments:

Section 4, line 6, engrossed bill, after the word "but" strike out the words "the last sentence of." Line 25, same section, after the word "such" insert the words "board of." Line 28, same section, after the word "said" insert the words "board of." Line 31, same section, after the word "the" insert the words "board of."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The bill entitled "An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Creamer	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832, passed April 1, 1854,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 5, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Tweed	
Beach	Edwards	Kennedy	O'Donnell	Van Petten	
Bradley	Folger	Morgan	Thayer	Williams	
Campbell	Graham				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the village of Whitestone, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Graham	Nicks	Tweed	
Beach	Cauldwell	Morgan	O'Donnell	Van Petten	
Bradley	Edwards	Morris	Thayer	Williams	15

FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Kennedy	Nichols	5
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Mr. O'Donnell moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize Danford Mott to establish and maintain a ferry across Lake Champlain at Rouse's Point, in the town of Champlain, in the county of Clinton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed	
Beach	Chapman	Humphrey	Nichols	Van Petten	
Bradley	Edwards	Kennedy	Nicks	Williams	
Campbell	Folger	Morgan	Thayer		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the protection of bridges over the Chemung river in the town of Corning, in the county of Steuben," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for enforcing the liens of inn keepers, boarding house keepers, mechanics, workmen or bailees, upon chattel property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed
Beach	Chapman	Humphrey	Nicks	Van Petten
Bradley	Edwards	Kennedy	Thayer	Williams
Campbell	Folger	Morgan		

18

FOR THE NEGATIVE.

Nichols	O'Donnell	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed

Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for the taking of affidavits in other States, to be used in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act authorizing the raising of money to build and maintain a bridge across Byram river at East Portchester, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed	
Beach	Edwards	Kennedy	O'Donnell	Van Petten	
Campbell	Folger	Morgan	Thayer	Williams	
Cauldwell	Graham	Morris			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the Cazenovia and Canastota Railroad Company to take increased fare on their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a

majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Morris	O'Donnell	
Campbell	Edwards	Kennedy	Nichols	Thayer	
Cauldwell	Graham	Morgan	Nicks	Van Petten	15

FOR THE NEGATIVE.

Banks	Bradley	Folger	Tweed	Williams	5
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Mr. Kennedy moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852,' passed March 7, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the United States Railroad Conductors' Life Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Thayer	
Beach	Edwards	Kennedy	Nicks	Tweed	
Bradley	Folger	Morgan	O'Donnell	Williams	
Cauldwell	Graham	Morris			18

FOR THE NEGATIVE.

Campbell	Van Petten	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 531 of the Laws of 1866, entitled 'An act to amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212, of the Independent Order of Odd Fellows of Northern New York, in the village of Albion, in the county of Orleans,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the 'Homœopathic Medical College of the State of New York,' in New York city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Thayer
Beach	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams
Cauldwell	Graham	Morris		18

FOR THE NEGATIVE.

Bradley 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Thayer
Beach	Edwards	Kennedy	Nicks	Tweed
Bradley	Graham	Morgan	O'Donnell	Van Petten 15

FOR THE NEGATIVE.

Campbell Chapman Folger Nichols Williams 5

Mr. Cauldwell moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13, 1865, and an act amending the same, passed May 11, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed
Beach	Edwards	Kennedy	Nicks	Van Petten

Campbell	Folger	Morgan	O'Donnell	Williams	
Cauldwell	Graham	Morris	Thayer		19

FOR THE NEGATIVE.

Bradley 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate 'The New York Seamen's Association,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Harlem Yacht Club," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Tweed	
Beach	Chapman	Morgan	O'Donnell	Van Petten	
Bradley	Edwards	Morris	Thayer	Williams	
Campbell	Graham	Nichols			18

FOR THE NEGATIVE.

Folger Kennedy 2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Port Morris Warehouse and Elevator Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Morris	Tweed	
Campbell	Folger	Kennedy	Nicks	Van Petten	
Cauldwell	Graham	Morgan	Thayer		14

FOR THE NEGATIVE.

Bradley Chapman Nichols O'Donnell Williams 5

Mr. Cauldwell moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Mont-

gomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE. -

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the boundaries of the village of Geddes, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making the waters of Harrison creek, in the town of Canton, St. Lawrence county, a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	O'Donnell
Beach	Chapman	Humphrey	Nichols	Thayer
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan		18

FOR THE NEGATIVE.

Tweed 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the First National Eclectic Assurance Society of the United States, and to change its corporate name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Thayer
Bradley	Edwards	Kennedy	Nicks	Van Petten

Campbell	Folger	Morgan	O'Donnell	Williams	18
Cauldwell	Graham	Morris			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Thayer	
Bradley	Edwards	Morgan	Nicks	Tweed	
Campbell	Folger	Morris	O'Donnell	Williams	
Cauldwell	Humphrey				17

FOR THE NEGATIVE.

Beach	Graham	Van Petten
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the village of Port Henry," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Morris	O'Donnell
Beach	Edwards	Kennedy	Nichols	Van Petten
Campbell	Folger	Morgan	Nicks	Williams
Cauldwell	Graham			

18

FOR THE NEGATIVE.

Bradley	Thayer	Tweed		
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate Ours Hose Company No. 4, of the city of Elmira, in the county of Chemung," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed
Beach	Chapman	Kennedy	Nicks	Van Petten
Bradley	Edwards	Morgan	O'Donnell	Williams
Campbell	Graham	Morris	Thayer	

19

FOR THE NEGATIVE.

Folger				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the city of Troy to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate Rescue Hook and Ladder Company No. 1, of the village of Bath," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Thayer	
Beach	Chapman	Kennedy	Nicks	Van Petten	
Bradley	Edwards	Morgan	O'Donnell	Williams	
Campbell	Graham	Morris			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to facilitate and encourage the construction of sidewalks in the village of Butternuts, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Williamsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten'	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for taking avail of certain provisions of 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed
Beach	Edwards	Kennedy	Nicks	Van Petten
Bradley	Folger	Morgan	Thayer	Williams
Campbell	Graham	Morris		

18

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a Town and Soldiers' Memorial Hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize a tax in the town of Phelps for a town hall at Orleans village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Guardian Savings Institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Tweed
Beach	Edwards	Kennedy.	O'Donnell	Van Petten
Bradley	Folger	Morgan	Thayer	Williams
Campbell	Graham	Nichols		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the excavation and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act relating to the House of Mercy, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to increase the powers of the Sisterhood of Saint Mary, a corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed
Beach	Chapman	Kennedy	Nicks	Van Petten
Bradley	Edwards	Morgan	Thayer	Williams
Campbell	Graham	Morris		18

FOR THE NEGATIVE.

Folger	O'Donnell	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and enlarge the powers of their trustees, and to provide for the government and business of said corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Tweed
Beach	Edwards	Kennedy	O'Donnell	Van Petten
Bradley	Folger	Morris	Thayer	Williams
Campbell	Graham	Nichols		

18

FOR THE NEGATIVE.

Chapman	Morgan	
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize a tax to be levied in the town of Constable to build or purchase a town house,' passed April 21, 1846," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the commissioners of public charities and correction, of the city of New York, to establish an industrial school on Hart's Island, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Tweed
Beach	Chapman	Humphrey	Nicks	Van Petten
Bradley	Edwards	Kennedy	O'Donnell	Williams
Campbell	Folger	Morris	Thayer	

19

FOR THE NEGATIVE.

Morgan	
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins and to enlarge the powers of the corporation of said village,' passed April 3, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown and the several acts amendatory thereof, and to extend the boundary of said village,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the rebuilding the bridge across the Mohawk river at Finck's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the organization, acts and proceedings of the Monticello and Port Jervis Railway Company, and to authorize the election of fifteen directors to manage its affairs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river between the towns of Lyssander, in Onondaga county, and Schroepfel, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Yonkers to complete the improvement of a part of the Saw Mill river road in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to prevent injury to the bridge over the Tiohnioga river, in the town of Marathon, in the county of Cortland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten

Campbell	Folger	Morgan	O'Donnell	Williams	
Cauldwell	Graham	Morris	Thayer		19

FOR THE NEGATIVE.

Beach					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to designate the place of holding the meetings of the board of supervisors of Oswego county, and to regulate the compensation of members thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Tweed	
Beach	Edwards	Kennedy	Nicks	Van Petten	
Bradley	Folger	Morgan	O'Donnell	Williams	
Campbell	Graham	Morris	Thayer		19

FOR THE NEGATIVE.

Chapman					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish and amend the charter of the village of Deposit,' passed March 2, 1858, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer	
Beach	Chapman	Humphrey	Nichols	Tweed	
Bradley	Edwards	Kennedy	Nicks	Van Petten	
Campbell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company in the town of Warsaw," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Chapman	Humphrey	Nichols	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Folger	Morgan	O'Donnell	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Thayer
Campbell	Folger	Morgan	Nicks	Van Petten
Chapman	Humphrey	Morris	O'Donnell	Williams 15

FOR THE NEGATIVE.

Banks	Bradley	Cauldwell	Graham	Tweed 5
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Mr. Kennedy moved to reconsider the vote just taken, and that that motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to incorporate the American Museum of Natural History," having been announced for a third reading,

Mr. Chapman moved that the Assembly bill with same title be substituted in place thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Tweed
Beach	Chapman	Humphrey	Nichols	Van Petten
Bradley	Edwards	Kennedy	Nicks	Williams
Campbell	Folger	Morgan	O'Donnell	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Banks, the Senate adjourned.

TUESDAY, APRIL 6, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The Journal of yesterday was read and approved.

Mr. Murphy presented a remonstrance of property owners on Atlantic avenue, in the city of Brooklyn, against the bill to pave said avenue between Fourth avenue and Brooklyn avenue, in said city, which was read and referred to the committee on municipal affairs.

Mr. Williams presented a petition of citizens of Brutus, Cayuga county, for a law regulating the transportation of freight on railroads, which was read and referred to the committee on railroads.

Mr. Pierce presented two remonstrances of citizens of Brooklyn, against selling land east of Flatbush avenue by commissioners of Prospect park, which were read and referred to the committee on municipal affairs.

Mr. Murphy presented a remonstrance of tax payers and residents of Whitestone, against certain portions of the act to incorporate that village, which was read and laid on the table.

Mr. Graham presented a remonstrance of 100 citizens of the village of Middletown, against any change in the trustees of the Middletown Savings Bank, which was read and referred to the committee on banks.

Mr. Murphy presented a remonstrance of citizens of Brooklyn, against the bill to widen Douglass and President streets, in said city, which was read and referred to the committee on municipal affairs.

Also a petition of Peter Bergen and John P. Morris, trustees of Ann Bergen, to sell certain real estate in the city of Brooklyn, late of Simon Bergen, which was read and referred to the committee on the judiciary.

Mr. Williams moved to take from the table the motion to discharge the committee on insurance from the further consideration of the bill entitled "An act to regulate the forfeiture of policies of life insurance," and refer the same to the committee of the whole.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to refer, and it was decided in the negative.

Mr. Williams, from the committee on insurance companies, to which was recommitted the bill entitled "An act to regulate the forfeiture of policies of life insurance," reported the same to the Senate with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to widen and improve Franklin avenue, in the town of Flatbush," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to increase the powers of commissioners of excise, and for other purposes,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed stated his dissent from said report, and asked that the same be entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Flushing, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county."

"An act to incorporate the village of Charlotte, in the county of Monroe."

Assembly, "An act to provide for the construction of a road and bridge across Huntington harbor, in the town of Huntington and the county of Suffolk."

"An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient Accepted Scottish Rite, in the city of Albany, to hold and convey real estate."

Assembly, "An act to authorize the Cohoes Gas Light Company to issue bonds to pay for the enlargement and extension of their works."

Assembly, "An act to amend an act entitled 'An act confirming certain proceedings of the board of supervisors of Montgomery county, and in relation to the support of the poor in said county,' passed April 19, 1866."

"An act to incorporate the Presbyterian Home for aged women in the city of New York."

"An act to authorize the board of education of Union Free School district No. 1, of the town of Moravia, in the county of Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The President presented a communication from the Canal Board relative to improvement of Albany basin, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 70.)

Also, resolutions adopted by the Buffalo Board of Trade indorsing the action of the Produce Exchange of the city of New York relating to the canals of this State, and the commerce connected therewith, which were read and referred to the committee on canals.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the mortgaging of real estate of certain societies and corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to authorize the construction of an iron bridge over the Erie canal feeder at the junction of Cedar and Main streets, in the village of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to make and improve certain highways in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex part of the city of Albany to the town of Guilderland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district."

"An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,' passed April 17, 1863."

"An act to lengthen the terms of office of the recorder, city judge and surrogate in the city and county of New York."

"An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue."

"An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

"An act to enable the board of public instruction in the city of Albany to obtain sites for school houses."

"An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chehango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867.'"

"An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton, in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof."

"An act to incorporate the Warsaw Waterworks Company."

The bill entitled "An act to release the interest of the State of New

York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer
Beach	Folger	Kennedy	Nicks	Tweed
Bradley	Genet	Mattoon	Norton	Van Petten
Campbell	Graham	Morgan	O'Donnell	Williams
Chapman	Hubbard	Morris	Pierce	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to the widow and children of Thomas Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer
Beach	Folger	Kennedy	Norton	Tweed
Bradley	Genet	Mattoon	O'Donnell	Van Petten
Campbell	Graham	Morgan	Pierce	Williams
Chapman	Hubbard	Morris		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Pierce
Beach	Edwards	Hubbard	Morgan	Thayer
Bradley	Folger	Humphrey	Morris	Tweed
Campbell	Genet	Kennedy	Nichols	Van Petten
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Mattoon moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to authorize the Cazenovia and Canastota railroad to take increased fare."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	O'Donnell	
Beach	Chapman	Hubbard	Morgan	Thayer	
Bradley	Edwards	Humphrey	Morris	Van Petten	
Campbell	Genet	Kennedy	Nichols	Williams	20

FOR THE NEGATIVE.

Tweed					1
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morgan	O'Donnell	
Beach	Chapman	Humphrey	Morris	Thayer	
Bradley	Genet	Kennedy	Nichols	Van Petten	
Campbell	Graham	Mattoon	Norton		19

FOR THE NEGATIVE.

Tweed					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Cauldwell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to incorporate the Port Morris Warehouse and Elevator Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Pierce	
Beach	Genet	Kennedy	Nichols	Thayer	
Campbell	Graham	Mattoon	Norton	Van Petten	
Cauldwell	Hubbard	Morgan	O'Donnell		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,' passed April 17, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Nichols	Thayer	
Bradley	Graham	Mattoon	Norton	Tweed	

Campbell	Hale	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
Edwards	Humphrey	Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. O'Donnell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Taylor
Bradley	Edwards	Morgan	Norton	Van Petten
Campbell	Genet	Nichols	O'Donnell	Williams
Cauldwell	Hale			

17

FOR THE NEGATIVE.

Humphrey	
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1

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Bradley	Folger	Mattoon	Norton	Taylor
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Graham	Nichols	Parker	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to donate to the American Museum of Natural History a collection from the duplicate specimens of Natural History belonging to the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Edwards	Humphrey	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Twed
Campbell	Graham	Morgan	Norton	Van Petten
Cauldwell	Hale	Morris	O'Donnell	Williams

25

FOR THE NEGATIVE.

Folger	Taylor
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Campbell	Genet	Humphrey	Nichols	Pierce
Cauldwell	Graham	Mattoon	Nicks	Thayer
Chapman	Hale	Morgan	O'Donnell	

19

FOR THE NEGATIVE.

Tweed	Van Petten	
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Oswego Pier and Dock Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Pierce
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Mattoon	O'Donnell	Van Petten
Chapman	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris		

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to lay out, open, extend and work a certain highway in the town of West Farms, in the county of Westchester, known as Madison avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Beach	Folger	Kennedy	Norton	Tweed
Campbell	Genet	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Nichols	Parker	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the board of public instruction in the city of Albany to obtain sites for school houses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Mattoon	O'Donnell
Campbell	Folger	Hubbard	Morris	Parker

Cauldwell	Genet	Humphrey	Nichols	Tweed
Chapman	Graham	Kennedy	Nicks	Van Petten
Creamer				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Thayer
Campbell	Folger	Humphrey	O'Donnell	Tweed
Cauldwell	Genet	Mattoon	Parker	Van Petten
Chapman	Graham	Morris	Pierce	Williams
Creamer	Hale	Nichols		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the appointment of commissioners to locate an asylum for the insane in Western New York, in the eighth judicial district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Humphrey	Nicks	Tweed
Campbell	Genet	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Creamer	Hale	Morris	Pierce	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to lengthen the terms of office of the recorder,

city judge, and surrogate of the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Tweed
Campbell	Genet	Mattoon	Norton	Van Petten
Cauldwell	Graham	Morgan	O'Donnell	Williams
Creamer	Hubbard	Morris	Parker	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Warsaw Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Bradley	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton, in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	O'Donnell
Bradley	Folger	Hubbard	Nichols	Parker
Campbell	Genet	Humphrey	Nicks	Thayer
Cauldwell	Graham	Mattoon	Norton	Van Petten
Chapman				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Edwards moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," and that the

same be recommitted to the committee on railroads, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to release to Rice Lewis and Ann Lewis the right of the people of the State of New York to certain real estate situated in this State of which Morris Lewis died seized," and that the same be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks moved that the Senate now resolve itself into a committee of the whole upon the bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein the President resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of said bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale moved that the bill entitled "An act for the more effectual suppression and punishment of bribery," be made the special order for to-day, under the order of business of special orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	O'Donnell
Beach	Folger	Kennedy	Murphy	Parker
Campbell	Graham	Mattoon	Nichols	Thayer
Cauldwell	Hale	Morgan	Nicks	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Bradley	Genet	Norton	Tweed	Williams
Creamer				

6

Mr. Chapman offered the following resolution:

Resolved, That five copies of the Manual for 1869 be furnished to each committee clerk of the Senate.

Mr. Genet moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. Tweed moved to amend said resolution, as follows:

"That they be furnished by the chairmen of the several standing committees."

Mr. Genet moved to lay the resolution and amendment upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Banks offered the following resolution:

Resolved, That the Clerk be directed to procure and deliver to each page of the Senate one copy of the Manual of the year 1869.

Mr. Genet moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to incorporate the American Museum of Natural History."

"An act to amend the charter of the city of Ogdensburgh."

"An act to incorporate the village of Williamsville."

"An act to legalize the action of the town meeting of the town of Canton, held February 9, 1869."

"An act to incorporate the Tritonen Schuetzen Company of New York."

"An act to authorize the annual town elections of the town of Sodus, in the county of Wayne, to be held by election districts."

"An act to change the name of the Manhattan Mutual Benefit Company of the city of New York, to increase the number and enlarge the powers of their trustees, and to provide for the government and business of said corporation."

"An act for the erection and maintenance of watering troughs in the public highways."

"An act to amend an act entitled 'An act to provide for draining swamp lands in the towns of Lima, Livonia and Avon, in the county of Livingston,' passed April 20, 1866."

"An act to provide for grading and improving Centre street, and making a sidewalk therein and lighting the same, in the village of Peekskill."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the city of Binghamton to widen the bridge over the Chenango canal at Court street in said city."

"An act to incorporate the New York Lumber, Manufacturing, and Improvement Company."

"An act to incorporate the 'East-Side Savings Bank of Rochester.'"

"An act to authorize the Flushing and North-Side Railroad Company to purchase the stock of the Flushing and Woodside Railroad Company, and to purchase a part of the New York and Flushing railroad, and to consolidate them into one corporation."

"An act to authorize the construction of a railroad in 125th street, and in certain other streets and avenues in the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act for the more effectual suppression and punishment of bribery."

After some time spent therein the President resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate adjourned.

WEDNESDAY, APRIL 7, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Pierce presented a remonstrance of David Cullum and others, against the passage of an act allowing Prospect park commissioners to sell lands east of Flatbush avenue, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a petition of inhabitants of Newtown, Queens county, for act to authorize the holding of town meetings in election districts, which was read and referred to the committee of the whole.

Mr. Chapman presented a remonstrance of citizens of Broome and Delaware, against amendments of Assembly to Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Graham presented a remonstrance against any change in the trustees of Middletown Savings Bank, which was read and referred to the committee on banks.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the City Safe Deposit Company of Brooklyn, New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the City Safe Deposit Company of Brooklyn," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act for the improvement of the East and West branches of the St. Regis river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act for the improvement of the navigation of the Boquet river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for the construction of a bridge on the Cattaraugus Indian reservation, and for repairing the State bridge over the Cattaraugus creek," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to authorize fire insurance companies to loan certain funds upon real estate in other States," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act in relation to the review by assess-

sors of the assessment rolls," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for the completion and preservation of the structures now being erected on the West bank in the lower bay of New York for quarantine purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for the support of government," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the board of education of Union Free School district No. 1, of the town of Moravia, in the county of Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education."

"An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State."

"An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 7, 1868."

"An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient Accepted Scottish Rite, in the city of Albany, to hold and convey real estate."

"An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county."

"An act to incorporate the Presbyterian Home for aged women in the city of New York."

"An act to incorporate the village of Charlotte, in the county of Monroe."

Also as correctly re-engrossed:

"An act authorizing the construction and maintaining of a free bridge over the Susquehanna river between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

"An act entitled 'An act to amend an act entitled 'An act to incorporate the Young Men's Christian Association of the city of New York,' passed April 3, 1866.'"

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act in relation to 'The Baptist Church in Clyde,' at Clyde, in the county of Wayne," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was

referred the Assembly bill entitled "An act to raise money to build a bridge in the town of Carroll, Chautauqua county, N. Y.," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to open and construct a road from Stony creek, in the county of Warren, to Wellstown, in the county of Hamilton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act relative to the New York Central Railroad Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the bill entitled "An act in relation to the East-Side Railway Company of the city of New York," reported adversely thereto.

Mr. Genet moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 140 of the Laws of 1850, relating to railroads in the State of New York," reported adversely thereto.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in James slip and Chambers street, in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Empire City Railway Company, and to authorize it to construct and operate a railway in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in Broadway and Lexington avenue, and certain other streets and avenues in the city of New York," reported adversely thereto.

Mr. Genet moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Genet, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Pierce	Tweed
Beach	Graham	Morris	Stanford	Van Petten
Cauldwell	Hubbard	Nichols	Thayer	Williams
Edwards	Humphrey	Nicks		

FOR THE NEGATIVE.

Campbell	Crowley	Hale	Murphy	Parker	
Creamer	Folger	Morgan	O'Donnell		9

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley and to Patterson's Corners," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of the Cayuga Lake railroad, and to authorize the town of Springsport, Cayuga county, to subscribe to the capital stock thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Parker moved that said bill be made the special order immediately after the present special orders are disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hubbard	O'Donnell	Stanford	Van Petten	
Graham	Morris	Parker	Tweed	Williams	
Hale	Murphy	Pierce			13

FOR THE NEGATIVE.

Creamer	Folger	Humphrey	Nichols	Thayer	
Crowley	Genet	Morgan	Nicks		9

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care of and control the old burying ground in said village, adjoining the cemetery ground of said association."

"An act to enable incorporated rural cemetery associations in the town of Hornellsville to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof."

"An act to incorporate the Chehocton Bridge Company in Delaware county."

"An act to incorporate the Fidelity Safe Deposit Company of the city of New York."

"An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds."

"An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

"An act to amend the charter of the Hamilton Savings Bank."

"An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860."

"An act to incorporate the Clinton County Savings Bank."

"An act to incorporate the Greenburgh Savings Bank of town of Greenburgh, Westchester county."

"An act declaring the westerly branch of St. Regis river a public highway."

"An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung."

Assembly, "An act to incorporate the Irish Brigade Association in the city of New York."

Assembly, "An act to change the boundaries of certain towns in the county of Schuylers."

"An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county."

"An act to amend an act entitled 'An act to consolidate school district No. 1, in the town of Salina, and county of Onondaga, a free school.'"

"An act in relation to charter and other officers in the city of New York."

Assembly, "An act to amend the charter of the city of Auburn."

Mr. Folger moved to except from the report of the committee the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," with a message that they non-concur in the amendments of the Senate thereto.

Mr. Tweed moved that the Senate insist upon its amendments, and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

Mr. Creamer moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Morris	Nichols	Nicks
Creamer	Graham			

7

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Murphy	Thayer
Bradley	Edwards	Humphrey	O'Donnell	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell	Hale	Morgan	Stanford	Williams

20

The President then put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 6, 1869.*

The Governor having returned the bill entitled "An act changing the name of the Cherry Valley and Mohawk River Railroad Company, and to facilitate the construction of the road, and to exempt from certain taxation town bonds used for the construction thereof," and the vote upon the final passage of the same having been reconsidered; on motion of Mr. W. W. Campbell and by unanimous consent said bill was amended by striking out the second section thereof and by changing the number of subsequent sections to correspond. The title of said bill was amended by striking out the words "and to exempt from certain taxation town bonds used for the construction thereof."

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Nichols	Parker	Tweed
Campbell	Hubbard	Nicks	Stanford	Van Petten
Cauldwell	Humphrey	O'Donnell	Thayer	Williams
Graham	Morris			

17

FOR THE NEGATIVE.

Bradley	Folger			
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2

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams
Ganet	Humphrey	Nichols		

18

FOR THE NEGATIVE.

Bradley	Folger	Tweed	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police District of the State of New York,' passed April 14, 1866, and to appropriate the moneys received under this act," which was read the first time, and by unanimous consent was also read the second time.

Mr. Creamer moved that said bill be referred to the committee of the whole.

Mr. O'Donnell moved that it be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer	
Crowley	Humphrey	Morgan	Parker	Van Petten	
Folger	Kennedy	Nicks	Stanford	Williams	15

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Nichols	Pierce	
Beach	Creamer	Graham	Norton	Tweed	
Bradley	Edwards	Morris			13

"An act for the relief of Elizabeth Craft, widow of Edwin Craft," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to legalize the incorporation of the 'Wellsville and State Line Turnpike Company,' and to provide for increase of tolls thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the construction of an iron bridge over the Erie canal in the village of Spraker's Basin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimble to construct tramways on their turnpike road, and to straighten and increase the width of the same, and to fix the tolls thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town in the counties of Otsego and Herkimer to issue bonds and take stock in said road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to regulate the sale of leaf tobacco in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act to fix the term of office of the constables of the towns in the counties of Kings and Chenango," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Commissioners of the Land Office to vacate a certain patent issued to William Hamilton to lands claimed by the widow and heirs of William Johnson, deceased, of the Oneida Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the bounds of the village of Peekskill and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village,' passed March 25, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Sixth Avenue Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to release to Thomas Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas the

interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend an act passed May 9, 1867, entitled 'An act making the turnpike and bridges of the Ravenswood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,' passed May 2, 1868,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25, 1865, and to authorize the issuing of bonds by said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to compel joint stock companies, incorporations and associations to admit service of process in civil actions, and to file the name of the person to be so served in each county in which they have an office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act amending an act entitled 'An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company,' passed May 6, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to provide for the completion of the Wallabout improvement of the city of Brooklyn,' passed March 28, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857, being chapter 267 of said laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the dredging of the deposit from Black Rock harbor, and for the removal of a portion of the division wall between

said harbor and the Erie canal, and appropriating money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Stuyvesant Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Little Falls Savings Bank in the village of Little Falls, Herkimer county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of the Northport, Huntington and Oyster Bay Steamboat Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Equitable Savings Institution, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of the Erie and Genesee Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Dansville Savings Bank, at Dansville, Livingston county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Citizens' Mutual Gas Light Company of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act making provisions for the support of certain dispensaries in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act providing for the partition and division of the lands and premises of the St. Regis Indians between the Protestant and Catholic denominations or parties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to extend the time for the collection of taxes in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments to schools, the powers and duties of the common council therein, and to require the Rochester Gas Light Company to extend their mains," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morgan moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act in relation to evidence in criminal prosecutions, and in all proceedings in the nature of criminal proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to prevent injury to the bridge over the Tioughnioga river, in the town of Marathon, in the county of Cortland."

"An act providing for the taking of affidavits in other States to be used in this State."

"An act to amend an act entitled 'An act to open a square to be known as Lafayette square, in the city of Brooklyn,' passed April 23, 1867."

"An act to amend the charter of the city of Ogdensburgh."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street, and in certain other streets and avenues in the city of New York."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the the trustees of the Seamen's Fund and Retreat to lease a portion of the lands belonging to said Retreat," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend the Laws relating to banking, and to grant facilities to associations for establishing banks equal to those afforded by the National Currency act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to provide for the construction of a vertical wall on the towing path of the Erie canal in the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to provide for the incorporation of safe deposit companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Security Savings Bank of Buffalo,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the erection and maintenance of an observatory in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	Norton	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Genet	Morris	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the village of Charlotte, in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Folger	Mattoon	Nicks	Tweed
Campbell	Genet	Morgan	O'Donnell	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient Accepted Scottish Rite, in the city of Albany, to hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Norton	Tweed
Beach	Crowley	Morgan	Parker	Van Petten

Bradley	Edwards	Morris	Stanford	Williams	
Cauldwell	Genet	Nicks	Thayer		19

FOR THE NEGATIVE.

Campbell	Folger	Mattoon	O'Donnell		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the Cohoes Gas Light Company to issue bonds to pay for the enlargement and extension of their works," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Parker	
Beach	Crowley	Hubbard	Nicks	Stanford	
Campbell	Edwards	Mattoon	Norton	Tweed	
Cauldwell	Folger	Morgan	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act confirming certain proceedings of the board of supervisors of Montgomery county, and in relation to the support of the poor in said county,' passed April 19, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nichols	Stanford	
Beach	Creamer	Hubbard	Norton	Tweed	
Campbell	Edwards	Mattoon	O'Donnell	Van Petten	
Cauldwell	Folger	Morgan	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Presbyterian Home for aged women in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Thayer	
Beach	Edwards	Mattoon	O'Donnell	Tweed	
Campbell	Folger	Morgan	Parker	Van Petten	
Cauldwell	Genet	Nichols	Stanford	Williams	
Chapman	Hale	Nicks			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of education of Union Free School district No. 1, of the town of Moravia, in the county of

Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	Norton	Tweed
Campbell	Genet	Morris	O'Donnell	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State," having been announced for a third reading,

On motion of Mr. Nichols and by unanimous consent said bill was amended, as follows:

Section 1, line 1, printed bill, strike out "eighty-five" and insert "seventy."

Same section, line 13, strike out "sixty" and insert "forty-five."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Pierce
Bradley	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Chapman	Hale	Morgan	Parker	Tweed
Edwards	Hubbard	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relating to bridges across the Mohawk river at Fort Plain," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Bradley	Folger	Kennedy	Norton	Thayer
Campbell	Genet	Morgan	O'Donnell	Van Petten
Chapman	Hale	Morris	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of

Chautauqua, passed April 17, 1857," having been announced for a third reading,

On motion of Mr. Morris and by unanimous consent said bill was amended by striking out "600" and inserting "250" in section one.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Humphrey	Nicks	Thayer
Campbell	Folger	Mattoon	O'Donnell	Tweed
Caldwell	Genet	Morgan	Parker	Van Petten

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 7, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Pierce
Beach	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	Norton	Tweed
Caldwell	Genet	Morgan	O'Donnell	Van Petten
Chapman	Graham	Morris	Parker	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the more effectual suppression and punishment of bribery," having been announced for a third reading,

Mr. Hale moved to recommit said bill to the committee on the judiciary, with instructions to strike out the amendment made in committee of the whole, as follows: "Such officer, agent or inspector shall also be liable to indictment for the same offense, and upon conviction to imprisonment in the State prison for a term not exceeding five years or to a fine not exceeding ten thousand dollars, or both such fine and imprisonment, in the discretion of the court," and report the same forthwith to the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Stanford moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Campbell	Folger	Mattoon	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Morris		

18

FOR THE NEGATIVE.

Bradley	Creamer	Pierce	Tweed	
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4

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Stanford
Chapman	Humphrey	Morgan	O'Donnell	Thayer
Crowley	Kennedy	Nichols	Parker	Van Petten
Folger				

16

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Pierce
Beach	Creamer	Graham	Norton	Tweed
Bradley	Edwards	Hubbard		

13

Mr. Hale, from the committee on the judiciary, reported back the bill entitled "An act for the more effectual suppression and punishment of bribery," with amendments, as instructed by the Senate.

Mr. Genet moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Cauldwell	Genet	Tweed	
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4

FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Folger	Mattoon	Nicks	Stanford
Campbell	Hale	Morgan	O'Donnell	Thayer
Chapman	Hubbard	Morris	Parker	Van Petten
Crowley	Humphrey	Murphy		

23

Mr. Morris moved to recommit said bill to the committee on the judiciary, with instructions to strike out in line 1 of section 2, the words "has heretofore paid or offered or."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Murphy	Pierce	Tweed
Bradley	Graham	Norton	Stanford	Van Petten
Cauldwell	Mattoon			

12

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Morris	O'Donnell
Campbell	Edwards	Humphrey	Nichols	Parker
Chapman	Folger	Kennedy	Nicks	Thayer
Creamer	Hale	Morgan		

18

Mr. Parker moved to recommit to the committee on the judiciary, with instructions to amend by striking out after the word "bribe" line 2, section 2, the words "to any person holding office in under the laws of this State," and report the same back immediately to the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Chapman	Humphrey	O'Donnell	Parker	
Campbell	Genet	Murphy			8

FOR THE NEGATIVE.

Banks	Folger	Mattoon	Nichols	Thayer	
Cauldwell	Hale	Morgan	Nicks	Tweed	
Creamer	Hubbard	Morris	Stanford	Van Petten	15

The President then put the question whether the Senate would agree to report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to authorize the citizens of the town of Homer to issue bonds for the completion and endowment of the Cortland academy at Homer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer moved that the Senate hold a session this afternoon, commencing at 4 o'clock P. M., for consideration of general orders.

Mr. Norton moved to amend, "that the session to-day be extended until 3 o'clock P. M."

Mr. Tweed moved to amend the motion of Mr. Norton by adding "and that at 2 o'clock P. M., the Senate proceed to the consideration of general orders."

Mr. Parker moved to lay the whole subject upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morris	Pierce	
Cauldwell	Edwards	Humphrey	Murphy	Thayer	
Chapman	Genet	Mattoon	Nichols	Tweed	
Creamer	Graham	Morgan	Norton	Van Petten	20

FOR THE NEGATIVE.

Banks	Campbell	O'Donnell	Parker	Stanford	
Beach	Hale				7

Mr. Mattoon moved that the Senate now proceed to the consideration of general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate adjourned.

THURSDAY, APRIL 8, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Williams presented a remonstrance of citizens of Wayne county, against any alteration of Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Messrs. Folger, Van Petten, Nicks and Humphrey presented remonstrances upon same subject, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Tweed presented a petition for extension of South street across Coenties slip, which was read and referred to the committee on municipal affairs.

Mr. Murphy presented a remonstrance of sixty inhabitants of Gravesend, against the passage of any bill laying out road from Hick's Post to Sheepshead Bay, which was read and referred to the committee on roads and bridges.

Mr. Hale presented a remonstrance of citizens of Poughkeepsie against proposed amendments to charter of Poughkeepsie, which was read and referred to the committee on municipal affairs.

A message from His Excellency the Governor, through his Private Secretary, was received and read, in relation to the establishing of a new State prison.

Ordered, That said message be referred to the committee on State prisons and printed.

(See Doc. No. 73.)

The President appointed as the committee of conference on the Assembly bill entitled "An act to amend an act entitled 'An act relative to railroads held under lease,' passed April 3, 1867," Messrs. Tweed, Parker and Folger.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist on their amendments and ask for a committee of conference, and have appointed one on the part of the Senate.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care and control of the old burying ground in said village, adjoining the cemetery ground of said association."

"An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds."

"An act declaring the westerly branch of St. Regis river a public highway."

"An act in relation to charter and other officers in the city of New York."

"An act to amend the charter of the Hamilton Savings Bank."

"An act to incorporate the Clinton County Savings Bank."

"An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof."

"An act to amend an act entitled 'An act to constitute school district No. 1, in the town of Salina and county of Onondaga, a free school.'"

"An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung."

"An act to incorporate the Chehocton Bridge Company in Delaware county."

"An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county."

"An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county."

Also as correctly re-engrossed :

"An act for the more effectual suppression and punishment of bribery."

By unanimous consent, Messrs. Genet and Graham, from a minority of the committee on railroads, submitted a report upon the bill entitled "An act to authorize the construction of a railroad in Broadway and Lexington avenue, and certain other streets and avenues in the city of New York," which was referred to the committee of the whole and ordered printed.

(See Doc. No. 72.)

Mr. Stanford stated his dissent from the report of the committee on insurance upon the Assembly bill entitled "An act to incorporate the Metropolitan Guaranty and Indemnity Company," and requested that the same be entered upon the journal.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate American 6 Association of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Eliza McBrair Sanderson and others," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the trustees of the Seaman's Fund and Retreat to lease a portion of the land belonging to said retreat," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the mortgaging of real estate of certain societies and corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to lands devised by Thomas O'Brien, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to vest in the board of supervisors of Warren county, certain additional legislative powers," reported that they have made some amendments thereto, and amended the title so as to read

"An act to vest in the board of supervisors of Warren county, power to change the location of the court house, jail and clerk's office in said county, and to provide for the erection of a new court house, jail and clerk's office therein," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Thos. Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas, the interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight-street, in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to the place of trial of certain offenses," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in Richmond county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to fix the terms of office of the constables of the towns of the counties of Kings and Chenango," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes, in New York and Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to regulate gas companies in the city of New York," reported adversely thereto.

Mr. Creamer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the village of Delhi," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the fire department of the city of Binghamton," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act relative to the board of revision and correction of assessments in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to continue in office the officers of the corporation of Silver Creek until their successors shall hereafter be elected and qualified, and to authorize the clerk to call elections in certain cases," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to confirm the election of the trustees and officers of the village of Silver Creek, and their acts," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the erection of a new market building on the site of the present Washington market, in the city of New York," reported adversely thereto.

Mr. Tweed moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the charter of the city of Brooklyn, and various sections amendatory thereof," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Guilderland," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to repeal chapter 489 of the Laws of 1867, being 'An act to provide for the construction of an experimental line of railway in the counties of New York and Westchester,' passed

April 22, 1867, and chapter 855 of the Laws of 1868, being 'An act supplemental to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases,' passed June 3d, 1860," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof or relating to the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to widen Vanderbelt avenue, in the city of Brooklyn,' passed May 1, 1868," reported adversely thereto.

Mr. Pierce moved to lay the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of trustees of the village of Port Richmond, for authority to raise money to improve roads, streets and highways in said village, reported for consideration, by bill entitled "An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Auburn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flush-

ing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole..

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," reported in favor of the passage of the same, and said bill was committed to the committee of the whole

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to open certain streets in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act making provisions for the support of certain dispensaries in the city of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the erection of a Soldiers' and Sailors' Monument in the city of New York, and to authorize the raising of money therefor," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the corporation of the city of Troy to borrow money and issue bonds therefor for the extension of the waterworks of said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to extend the bounds of the village of Peekskill, and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds and to enlarge the powers of the corporation of said village,' passed March 25, 1850," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16, 1844," reported adversely thereto.

Mr. Van Petten moved to lay the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to regulate the sale of tickets for admission to theatrical, dramatic, operatic and other public amusements and entertainments in the cities of New York and Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act amending an act entitled 'An act

authorizing the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company,' passed May 6, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act relative to the Hudson Avenue Railroad Company in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act for the relief of the Erie and Genesee Valley Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to make and improve certain highways in the town of West Farms," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act in relation to the State Cabinet of Natural History," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed Jan. 25, 1865, and to authorize the issuing of bonds by said association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Nicholas Van de Bogart and Giles Y. Van de Bogart," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Clinton Stephens," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, as amended by chapter 722 of the Laws of 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on poor laws, to which was referred the Assembly bill entitled "An act in relation to statistics of the poor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Richmondville and Summit Plankroad Company to abandon all that part of their

road lying south of Summit Four Corners and declaring said road a public highway, or to sell any portion of said road necessary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to legalize the incorporation of the Wellsville and State Line Turnpike Company, and to provide for increase of tolls thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to provide for the construction of a vertical wall on the towing path side of the Erie canal in the city of Schenectady," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nichols, from the committee on canals, to which was referred the bill entitled "An act to appropriate moneys for paying awards made by Canal Appraisers in 1866, for paying the expenses of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New York Pier and Warehouse Company,' passed April 28, 1865, and to authorize the construction of a railroad in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

* Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act for the relief of the Northport, Huntington and Oyster Bay Steamboat Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Morris, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize Forest Hill Cemetery, in the village of Fredonia and county of Chautauqua, to acquire title to other lands, and to use their funds for that purpose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the construction of certain railroads in the city and county of New York, and across the Harlem river," which was read the first time, and by unanimous consent was also read the second time.

Mr. Cauldwell moved to refer said bill to the committee of the whole. The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to aid in the construction of the Buffalo and Washington railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of the city for certain other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Mechanics' Savings Bank of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to aid the construction of the New York and Oswego Midland Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the New York Produce Exchange Company to increase the amount of its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the bill entitled "An act in relation to the Homœopathic hospital of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the Inebriates' Home for Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Dansville Savings Bank, at Dansville, Livingston county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2d, 1859," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Little Falls Savings Bank, in the village of Little Falls, Herkimer county, New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Wappinger's Savings Bank of Wappinger's Falls, Dutchess county, New York," reported in

favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the widening of the western boundary streets on the Hudson river, in New York city, including Twelfth avenue," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to provide for the widening of West street, in the city of New York," and as amended, report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act in relation to the New York savings banks," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the payment of a uniform rate of interest by savings banks," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' passed May 5th, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Ladies' Washington Association of Hempstead, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend chapter 115, Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revise and amend the charter of the Middletown Savings Bank,' incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Graham stated his dissent from said report, which was ordered entered on the journal.

Mr. Graham moved to lay the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Bradley	Genet	Mattoon	Nichols	Tweed
Cauldwell				

16

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

15

And it was decided in the affirmative, the President voting in favor thereof.

Mr. Kennedy, from the select committee of pine, reported the following entitled bills complete:

"An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' passed May 2d, 1868."

"An act to incorporate the Ontario County Savings Bank."

"An act to incorporate the Canandaigua Savings Bank in the village of Canandaigua."

Assembly, "An act to amend the charter of the Savings Bank of Utica."

Assembly, "An act to amend the charter of the Ithaca Savings Bank by adding two additional trustees."

Assembly, "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2d, 1850."

"An act to create 'The Manhattan Eye and Ear Hospital,' in the city of New York."

"An act to change the name of the 'Second Free Methodist Church of Buffalo.'"

"An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857."

"An act to amend the charter of the Missionary Society of the Methodist Episcopal Church, passed 1869."

Assembly, "An act to change the corporate title of the General Synod of the Reformed Protestant Dutch Church to that of the General Synod of the Reformed Church in America."

Assembly, "An act authorizing the General Theological Seminary of the Protestant Episcopal Church in the United States to confer honorary degrees in theology."

"An act to amend the charter of the village of Little Falls."

"An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861."

"An act in relation to the receiver of taxes and assessments for the town and village of Yonkers."

"An act to provide for the completion of the Gowanus canal, in the city of Brooklyn, and for the collection of the expenses thereof."

Assembly, "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851."

"An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose."

"An act to amend the act entitled 'An act to provide for the drainage of the low lands in the southeast part of the town of Cambria, in the county of Niagara,' passed May 9, 1868."

Assembly, "An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized."

Assembly, "An act to amend an act entitled 'An act to amend the Statutes in reference to the collection of taxes in the county of Onondaga,' passed May 9, 1867."

"An act to provide for the laying out and opening of a highway in the town of Flatbush in continuation of East New York avenue."

"An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed Feb. 17, 1868, and the acts amending or extending the same."

"An act to amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April 23, 1862, and to create a short bar to actions arising under said act,' passed May 9, 1867."

Assembly, "An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of Amity street to Main street."

"An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867."

"An act to establish a public place in the city of New York."

"An act to authorize and empower the New York and Highland Suspension Bridge Railway Company to build a bridge across the Harlem river."

"An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25th, 1865, and to authorize the issuing of bonds by said association."

"An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858."

"An act to legalize the election of justices of the peace in the town of Potsdam, St. Lawrence county, and to amend the act relating to the 'fifth justice' in said town, passed February 7, 1853."

"An act to incorporate the Albany Board of Lumber Dealers."

"An act to enable John Augustus Hill, an alien, to hold real estate."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Morgan moved to take from the table the motion to agree to the report of the judiciary committee adverse to the Assembly bill entitled "An act authorizing town boards in the county of Monroe to offer and pay rewards for the apprehension of criminals."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Morgan moved to disagree with the report of the committee, and refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Chapman	Edwards	Hubbard	Kennedy	Nichols	
Creamer	Graham	Humphrey	Morgan	Parker	10

FOR THE NEGATIVE.

Banks	Crowley	Mattoon	Norton	Thayer
Bradley	Folger	Morris	O'Donnell	Tweed

Campbell	Genet	Murphy	Pierce	Williams	19
Cauldwell	Hale	Nicks	Stanford		

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Kennedy moved to take from the table the question of agreeing to the report of the select committee of nine upon the bill entitled "An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger moved to take from the table the concurrent resolutions from the Assembly relative to the adoption of the proposed fifteenth amendment to the Constitution of the United States.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

FOR THE NEGATIVE.

Banks	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Morris	Norton		14

Mr. Murphy moved to make said resolutions the special order for "Wednesday next."

Mr. Folger moved to amend, as follows :

"That the resolution as to the Constitutional amendment be made the special order to-morrow, in the order of special orders, and that the final vote thereon be taken on Wednesday next, at once on entering the order of special orders."

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Parker	
Campbell	Folger	Kennedy	Nichols	Pierce	
Cauldwell	Genet	Mattoon	Nicks	Stanford	
Chapman	Graham	Morgan	Norton	Tweed	
Creamer	Hale	Morris	Palmer	Williams	
Crowley					26

FOR THE NEGATIVE.

O'Donnell	Thayer	Van Petten	4
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Mr. Murphy moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Parker	
Beach	Creamer	Hubbard	Norton	Pierce	
Bradley	Edwards	Morris	O'Donnell	Tweed	
Campbell	Genet	Murphy			18

FOR THE NEGATIVE.

Crowley	Humphrey	Morgan	Stanford	Van Petten	
Folger	Kennedy	Nicks	Thayer	Williams	10

Mr. Mattoon moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Tweed			3
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FOR THE NEGATIVE.

Bradley	Folger	Kennedy	Nichols	Pierce	
Campbell	Genet	Mattoon	Nicks	Stanford	
Cauldwell	Hale	Morgan	O'Donnell	Thayer	
Chapman	Hubbard	Morris	Palmer	Van Petten	
Creamer	Humphrey	Murphy	Parker	Williams	
Edwards					16

Mr. Murphy moved to amend the resolution of Mr. Folger, as follows :
Strike out all after "Wednesday next," and insert "at half-past one o'clock P. M."

Mr. O'Donnell moved to amend, "that said resolution be made the special order at 1 o'clock to-day, and that the final vote be taken at 2 o'clock to-day."

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Morgan	O'Donnell	Thayer	Van Petten	
Crowley	Nicks	Palmer	Tweed		9

FOR THE NEGATIVE.

Banks	Edwards	Hale	Mattoon	Parker	
Beach	Folger	Hubbard	Morris	Pierce	
Cauldwell	Genet	Humphrey	Murphy	Stanford	
Chapman	Graham	Kennedy	Nichols	Williams	20

Mr. O'Donnell moved to amend, "that said resolution be made the special order at 1 o'clock to-day, and be made the special order from day to day until disposed of."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Palmer	Tweed	
Bradley	Humphrey	O'Donnell	Thayer		9

FOR THE NEGATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce	
Campbell	Folger	Kennedy	Nicks	Stanford	

Cauldwell	Genet	Mattoon	Norton	Van Petten
Chapman	Graham	Morris	Parker	Williams
Creamer	Hale	Murphy		23

The President then put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Edwards	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Norton	Thayer
Campbell	Graham	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman				26

FOR THE NEGATIVE.

Crowley	Morgan	Nicks	O'Donnell	Williams
Folger				6

Mr. Williams moved to amend, "that said resolution be also made the special order for Tuesday next, under the order of business of special orders."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell moved to amend, "that they be made the special order from day to day until Wednesday next."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Stanford
Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Norton	Tweed
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hale	Morris	Parker	Williams
Chapman	Hubbard	Murphy	Pierce	29

FOR THE NEGATIVE.

Crowley	Folger	O'Donnell	3
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Mr. Stanford gave notice that he would, on some future day, move to suspend rule 40, for the purpose of allowing him to move a reconsideration of the vote on the final passage of the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the grading of a street in the city of Newburgh,' passed May 6, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to regulate the sale and power of illuminating gas in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

Mr. Norton moved to refer said bill to the committee on manufactures.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to the agencies of such companies,' passed June 24, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend chapter 234 of the Laws of 1845, in relation to suits against foreign corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of benevolent, charitable and missionary societies, and the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to regulate and restrict the organization of savings banks and institutions for savings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Thayer
Beach	Edwards	Hubbard	O'Donnell	Tweed
Bradley	Genet	Humphrey	Parker	Van Petten
Campbell	Graham	Mattoon	Stanford	Williams
Cauldwell				

21

FOR THE NEGATIVE.

Folger	Kennedy	Morgan	Nichols	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the correction of errors in the equalization of the assessments in the county of Columbia, as made by the board of supervisors," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Stanford
Bradley	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Edwards	Hubbard	Nicks	Pierce	Van Petten
Folger	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cauldwell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to authorize the Clipper Mower

and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Nichols moved to recommit said bill to the committee on manufactures, with instructions to strike out the provision permitting said company to mortgage its personal property.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act for the more effectual suppression and punishment of bribery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	Nicks	Stanford
Chapman	Hale	Morgan	O'Donnell	Thayer
Creamer	Hubbard	Morris	Palmer	Van Petten
Crowley	Humphrey	Murphy	Parker	Williams
Edwards				

26

FOR THE NEGATIVE.

Bradley	Cauldwell	Genet	Norton	Tweed	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Thayer, from the committee on manufactures, to which was recommended the bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real and personal property of said company to secure said preferred stock," reported the same back with the amendments thereto, as instructed by the Senate, and recommend its passage, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer
Bradley	Graham	Morgan	Palmer	Tweed
Campbell	Hubbard	Morris	Parker	Van Petten
Cauldwell	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy			

22

FOR THE NEGATIVE.

Folger					1
--------	--	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Chehocton Bridge Company in Delaware county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Norton	Tweed
Cauldwell	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris	Pierce	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Crowley	Humphrey	Nichols	Pierce	Williams
Edwards	Kennedy	Nicks	Stanford	24

FOR THE NEGATIVE.

Folger	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Hamilton Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Folger	Kennedy	Nicks	Pierce
Bradley	Genet	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Palmer	Williams
Creamer	Hubbard	Morris		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Palmer moved that the committee on charitable and religious societies be discharged from the further consideration of the bill entitled "An act in aid of the City Orphan Home of the New York Juvenile Guardian Society, and the support of said home and the industrial schools of said city," and petition accompanying the same, and that they be referred to the committee on finance.

Mr. Bradley moved to refer to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Palmer, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Clinton County Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Beach	Folger	Humphrey	Morris	Stanford
Bradley	Genet	Kennedy	O'Donnell	Tweed
Campbell	Graham	Mattoon	Palmer	Van Petten
Cauldwell				

21

FOR THE NEGATIVE.

Nichols

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Greenburgh Savings Bank of town of Greenburgh, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	O'Donnell	Thayer
Beach	Edwards	Humphrey	Palmer	Tweed
Bradley	Folger	Mattoon	Parker	Van Petten
Campbell	Genet	Morris	Pierce	Williams
Cauldwell	Graham	Nichols	Stanford	

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act declaring the westerly branch of St. Regis river a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford
Campbell	Folger	Humphrey	O'Donnell	Tweed
Cauldwell	Genet	Kennedy	Parker	Van Petten
Creamer	Graham	Mattoon	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	O'Donnell	Stanford
Beach	Edwards	Humphrey	Palmer	Thayer
Bradley	Folger	Kennedy	Parker	Tweed
Campbell	Genet	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	O'Donnell	Stanford
Beach	Edwards	Humphrey	Palmer	Thayer
Bradley	Folger	Kennedy	Parker	Tweed
Campbell	Genet	Morris	Pierce	Van Petten
Cauldwell	Graham	Nichols		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to constitute school district No. 1, in the town of Salina, and county of Onondaga, a free school,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Palmer	Thayer
Campbell	Graham	Mattoon	Parker	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Irish Brigade Association of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Stanford
Bradley	Genet	Kennedy	Palmer	Thayer
Campbell	Graham	Mattoon	Parker	Tweed
Cauldwell	Hubbard	Morgan	Pierce	Van Petten
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Edwards and by unanimous consent the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act to extend time for collection of taxes in Richmond county," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Parker	
Beach	Edwards	Hubbard	Morris	Pierce	
Campbell	Folger	Humphrey	Nicks	Tweed	
Cauldwell	Genet	Kennedy	Palmer	Van Petten	
Creamer	Graham				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to change the boundaries of certain towns in the county of Schuyler," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Pierce	
Beach	Folger	Humphrey	Morris	Thayer	
Cauldwell	Genet	Kennedy	Palmer	Tweed	
Creamer	Graham	Mattoon	Parker	Van Petten	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to charter and other officers in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce	
Beach	Edwards	Humphrey	Nichols	Tweed	
Campbell	Genet	Kennedy	Palmer	Van Petten	
Cauldwell	Graham	Mattoon	Parker	Williams	
Creamer					12

FOR THE NEGATIVE.

Folger

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the city of Auburn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Thayer
Beach	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Hale	Mattoon	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hubbard offered the following :

Resolved, That so much of the existing order of the Senate as requires an adjournment of the Senate each day at 2 o'clock P. M., is hereby rescinded, leaving the adjournment each day under the control of a majority of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Pierce
Bradley	Genet	Kennedy	Norton	Thayer
Cauldwell	Graham	Mattoon	Palmer	Tweed
Creamer	Hale	Murphy		

18

FOR THE NEGATIVE.

Banks	Crowley	Morgan	O'Donnell	Van Petten
Campbell	Folger	Morris	Parker	Williams
Chapman	Humphrey	Nichols		

13

Mr. O'Donnell offered the following :

Resolved, That 250 copies of the annual report of the Board of State Commissioners of Public Charities be printed on fine paper and bound in cloth for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Chapman offered the following :

Resolved, That the bill entitled "An act authorizing the appointment of commissioners to locate a new State prison," be recommitted to the committee on State prisons, retaining its place on general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon offered the following :

Resolved, That the Clerk be directed to employ two additional pages for the remainder of the session to be employed in the document folding room.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Genet offered the following :

Resolved, That the Senate do now resolve itself into a committee of the whole for the consideration of Senate bill No. 389, entitled "An act to authorize the construction of a railroad in Broadway, Lexington avenue, and certain other streets and avenues in the city of New York."

Mr. Williams moved to amend the resolution by including therein the

bill entitled "An act to abolish certain punishments in the State prisons and penitentiaries of this State."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Tweed
Beach	Creamer	Humphrey	Norton	Van Petten
Bradley	Genet	Kennedy	Pierce	Williams
Cauldwell	Graham	Mattoon		

18

FOR THE NEGATIVE.

Campbell	Folger	Murphy	O'Donnell	Parker
Crowley	Hale	Nichols	Palmer	Thayer
Edwards	Morgan	Nicks		

13

Mr. Cauldwell offered the following:

Resolved, That the committee of the whole be discharged from the consideration of Assembly bill No. 125, entitled "An act to define the boundaries of union free school district No. 7, in the town of Cortlandt, county of Westchester," and that the same be recommitted to the committee on literature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Cauldwell offered the following:

Resolved, That the bill entitled "An act to create a board of trustees for the town of West Farms, in the county of Westchester, and to define their powers," now in committee of the whole, be laid on the table.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Thayer offered the following:

Resolved, That claim bills be made a special order for Monday evening next, immediately after reading the journal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Kennedy moved that the Senate go into executive session at 2 o'clock, for the confirmation of notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morris	Nicks	Stanford
Chapman	Hale	Nichols	O'Donnell	Thayer
Crowley				

11

FOR THE NEGATIVE.

Bradley	Creamer	Murphy	Pierce	Van Petten
Campbell	Edwards	Norton	Tweed	Williams
Cauldwell	Hubbard	Parker		

13

The Senate again resolved itself into a committee of the whole and resumed the consideration of general orders, pending at the time of going into executive session, being the bills entitled as follows:

"An act to provide sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York."

"An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company."

"An act to prevent the introduction and diffusion of contagious and other dangerous diseases among domestic animals in the State of New York, and to prevent the sale of diseased meat."

After some time spent therein the President resumed the chair, and Mr. Williams, from said committee, reported progress on the first named bill and asked leave to sit again.

The question being on granting leave,

Mr. Creamer moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Nicks	Stanford
Campbell	Folger	Nichols	Parker	Thayer
Chapman				

11

FOR THE NEGATIVE.

Bradley	Edwards	Norton	Pierce	Van Petten
Cauldwell	Hale	Palmer	Tweed	Williams
Creamer	Hubbard			

12

Mr. Banks moved to recommit said bill to the committee on municipal affairs, with instructions to insert the amendment offered by him in committee of the whole, as follows:

Section 2, line 20, strike out after word "property," and insert "but such improvement shall be made without expense for construction either to the State or city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Palmer	Stanford	Van Petten
Cauldwell	Hubbard	Pierce	Tweed	Williams
Creamer	Norton			

12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Nichols	Parker
Campbell	Folger	Kennedy	Nicks	Thayer
Chapman				

11

Ordered, That said bill be engrossed for a third reading.

Mr. Williams, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Williams, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Campbell moved to lay the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Kennedy moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Nicks	Stanford
Chapman	Hale	Nichols	Parker	Thayer
Crowley				

11

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Norton	Van Petten
Beach	Creamer	Graham	Pierce	Williams
Bradley	Edwards	Hubbard	Tweed	

14

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto :

"An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3d, 1867," with a message that they had consented to a committee of conference, and had appointed as such committee on their part, Messrs. Gleason, Hixson, W. M. Ely, Frear and Suffern.

Mr. Nichols moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Norton	Tweed
Chapman	Folger	Nichols	Pierce	Van Petten
Crowley	Hale	Nicks	Thayer	

14

FOR THE NEGATIVE.

Cauldwell	Creamer	Genet	Graham	
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4

Whereupon the Senate adjourned.

FRIDAY, APRIL 9, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Belding.

The journal of yesterday was read and approved.

Mr. Tweed presented a petition of fifty physicians of the city of New York, for a modification of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Morgan presented a protest from citizens of the city of New York against amendment to Excise law, which relieves lager from restrictions of the law, which was read and referred to the committee on internal affairs of towns and counties.

Messrs. Folger and Campbell presented remonstrances upon same subject, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to alter the commissioners' map of the city of Brooklyn," and also the bill entitled "An act to alter the commissioners' map of Brooklyn by closing Graham street between Flushing avenue and River street in said city," reported that they have made some amendments thereto, and amended the same so as to read as follows: "An act to amend the several acts to alter the commissioners' map of the city of Brooklyn, passed May 12, 1846, and May 1, 1865, and further to alter said map," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to regulating and grading the Eighth avenue in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of Henry L. Hoguet for closing of 141st street, reported by bill entitled "An act to alter the map or plan of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend chapter 806 of the Laws of 1867, in relation to public processions in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the erection and maintenance of an observatory in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to establish a stage route from the Astor house to the Central park," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the ditching, draining, sewerage and filling in of lands in the village of Edgewater and of the town of Southfield," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the salaries and pay of the firemen, officers and employees of the Metropolitan fire department," reported adversely thereto.

Mr. Genet moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Green Island, and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of the city for certain other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue," reported adversely thereto.

Mr. Murphy moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend section 99 of chapter 352 of the Laws of 1855, relating to the village of Cohoes, and to confirm the acts of the police justice in said village," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close a portion of old Bushwick road or avenue between Remsen street and Meserole street, and between Boerum street and McKibben street," reported adversely thereto.

Mr. Murphy moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'Ellsworth Social Club,' in the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the Congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for deceased members," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'German Cigarren Arbeiter-Verein,' in the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the St. John's Benevolent Association of the village of Dunkirk, New York," reported adversely thereto.

Mr. Morris moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate 'The Social Maennerchor' of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Pioneer Association of Harlem, New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Hudson River Laborers' Union Benevolent Society of the town of Cortlandt, Westchester county," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Wayside Industrial Home, in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857."

"An act to change the name of the 'Second Free Methodist Church of Buffalo.'"

"An act to provide sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York."

"An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860."

"An act to provide for the laying out and opening of a highway in the town of Flatbush in continuation of East New York avenue."

"An act to incorporate the Ontario County Savings Bank."

"An act to create 'The Manhattan Eye and Ear Hospital,' in the city of New York."

"An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' passed May 2d, 1868."

"An act to incorporate the Canandaigua Savings Bank in the village of Canandaigua."

"An act to amend the charter of the Missionary Society of the Methodist Episcopal Church."

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Masonic Hall Association of the village of Hornellsville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Binghamton and Port Dickinson Railroad Company,' passed May 1, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the select committee of nine, reported the following entitled bills complete:

"An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors.'"

"An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868."

Assembly, "An act to amend section 1 of chapter 205 of the Laws of 1863, being an act relating to St. Joseph's Orphan Asylum, Rochester."

Assembly, "An act to authorize the classification of the directors of the New York institution for the instruction of the deaf and dumb, and relating to said institution."

Assembly, "An act to amend an act entitled 'An act to amend an act passed April 12th, 1859, entitled 'An act to amend the Revised Statutes, in relation to laying out public roads and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 13, 1860.'"

"An act to provide for the safe custody and care of insane criminals."

"An act for the protection of persons and companies gathering ice for merchandise."

Assembly, "An act to release and convey to Christina H. Surbeck the interest of the people of the State of New York in certain real estate in the city of Brooklyn."

Assembly, "An act to facilitate the service of civil process upon non-resident stockholders and the personal representatives of deceased stockholders of insolvent corporations, and joint stock companies, in actions now authorized by law."

"An act to incorporate the Morrisania Waterworks Company, in the county of Westchester."

"An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868."

Assembly, "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie."

"An act to incorporate the Schenectady Waterworks Company."

Assembly, "An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof."

"An act relating to the procurement of abortion and other like offenses."

"An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York."

"An act to incorporate the Knights of St. Patrick of the city of New York."

Assembly, "An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sale by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7, 1859, and for the purpose of further providing for the better collection of county taxes in said city."

Assembly, "An act to amend 'An act incorporating the village of Sing Sing, in the county of Westchester, passed April 9, 1853, and the act supplementary thereto and amendatory thereof, passed April 18, 1859, and also the act supplementary thereto and amendatory thereof,' passed March 3, 1866."

"An act to authorize the board of supervisors of Kings county to include in the next tax levy, the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act to establish a uniform width of track for vehicles using the public highways in the towns of East Hampton and Southampton, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to repeal a portion of chapter 717 of the Laws of 1868, entitled 'An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation,' passed April 24, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the town of Naples to raise eight thousand dollars by tax to build a 'Town and Soldiers' Memorial Hall,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to alter the commissioners' map of the city of Brooklyn by widening Ninth street in said city, and to authorize the commissioners in said matter to alter and amend their report," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the establishment of a law department in St. Lawrence University," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low lands, and for draining farm lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company,' passed April 17th, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7th, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act regulating the adoption of children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Charles S. Gilbert, and to authorize the board of supervisors of the county of Livingston to hear, audit and pay his claim," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of St. Johnsville, in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act passed 1860, chapter 359, page 605, establishing a free school in district No. 4, town of Oyster Bay, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to establish a Capital police, and to provide for the government thereof,' passed April 22d, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to declare John street, in the village of Gouverneur, a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to change the corporate name of the First Baptist Church and Society of Hamden and East Walton to the First Baptist Church and

Society of Walton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to submit the question of locating the Wadsworth Normal and Training School upon the public park in the village of Geneseo, Livingston county, to the tax-paying electors of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act in relation to the Western Insurance Company, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to unite and protect ancient burying grounds, and establish a rural cemetery and a free burying ground in the town of New Lebanon, Columbia county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly bill entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Folger	Nichols	Pierce
Banks	Chapman	Humphrey	Nicks	Thayer
Bradley	Crowley	Mattoon	Norton	Tweed
Campbell	Edwards	Morris	Parker	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860," having been announced for a third reading,

Mr. Nichols moved to recommit said bill to the committee on banks, with instructions to strike out in section 5, the following:

"And thereafter, at each annual examination of the affairs of said corporation, any surplus over and above said sum shall, in addition to the usual interest, be divided ratably amongst the depositors, in such manner as the board of trustees shall direct."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' passed May 2, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Nichols	Tweed
Campbell	Graham	Kennedy	Nicks	Van Petten
Cauldwell	Hale	Morgan	Pierce	Williams
Edwards	Hubbard	Morris	Thayer	19

FOR THE NEGATIVE.

Banks	Bradley	Chapman	Norton	Palmer	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Canandaigua Savings Bank, in the village of Canandaigua," having been announced for a third reading,

Mr. Nichols moved to recommit the same to the committee on banks, with instructions to amend the same, as follows:

Section 8, line 11, strike out all after word "dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Kennedy	Morris	Nicks
Campbell	Hubbard	Morgan	Nichols	Thayer
Chapman				11

FOR THE NEGATIVE.

Beach	Folger	Murphy	Palmer	Tweed
Bradley	Genet	Norton	Parker	Van Petten
Cauldwell	Graham	O'Donnell	Pierce	Williams
Edwards	Humphrey			17

Mr. Morris moved to recommit said bill to the committee on banks, with instructions to insert after word "ratably" in line 14, the words "in proportion to the time and amount of deposits."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Norton	Pierce
Beach	Edwards	Hubbard	O'Donnell	Thayer
Bradley	Folger	Humphrey	Palmer	Tweed
Cauldwell	Genet	Murphy	Parker	Van Petten
Chapman	Graham	Nicks		23

FOR THE NEGATIVE.

Campbell	Kennedy	Morgan	Morris	Nichols	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Ontario County Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Nicks	Pierce	
Bradley	Edwards	Hale	Norton	Thayer	
Cauldwell	Folger	Hubbard	Palmer	Tweed	
Chapman	Genet	Humphrey	Parker	Van Petten	20

FOR THE NEGATIVE.

Campbell	Kennedy	Morgan	Morris	Nichols	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to create 'The Manhattan Eye and Ear Hospital,' in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce	
Bradley	Folger	Kennedy	Norton	Thayer	
Campbell	Graham	Morgan	O'Donnell	Tweed	
Cauldwell	Hale	Morris	Palmer	Van Petten	
Chapman	Hubbard	Nichols	Parker	Williams	
Crowley					26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the Savings Bank of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce	
Bradley	Folger	Humphrey	Nicks	Thayer	
Campbell	Graham	Kennedy	O'Donnell	Van Petten	
Cauldwell	Hale	Morgan	Palmer	Williams	
Chapman					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the Ithaca Savings Bank by adding two additional trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nicks	Thayer	
Bradley	Hale	Morgan	O'Donnell	Tweed	
Cauldwell	Hubbard	Morris	Parker	Van Petten	
Chapman	Humphrey	Nichols	Pierce	Williams	
Edwards					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," having been announced for a third reading, Mr. Kennedy moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to change the name of the 'Second Free Methodist Church of Buffalo,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Parker	
Campbell	Folger	Humphrey	Nicks	Pierce	
Cauldwell	Genet	Morgan	O'Donnell	Thayer	
Crowley	Graham	Morris	Palmer	Tweed	20

FOR THE NEGATIVE.

Bradley	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16th, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	O'Donnell	Thayer	
Campbell	Hubbard	Morris	Palmer	Tweed	
Cauldwell	Humphrey	Nicks	Parker	Van Petten	
Edwards	Kennedy	Norton	Pierce	Williams	
Genet	Mattoon				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Missionary Society of the Methodist Episcopal Church," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Pierce	
Bradley	Graham	Kennedy	Nicks	Thayer	
Campbell	Hale	Mattoon	Norton	Van Petten	
Cauldwell	Hubbard	Morgan	Palmer	Williams	
Edwards					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to change the corporate title of the General Synod of the Reformed Protestant Dutch Church to that of the General Synod of the Reformed Church in America," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer
Bradley	Genet	Mattoon	Palmer	Van Petten
Campbell	Hubbard	Nichols	Pierce	Williams
Cauldwell	Humphrey			

17

FOR THE NEGATIVE.

Hale

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the General Theological Seminary of the Protestant Episcopal Church in the United States to confer honorary degrees in theology," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Parker
Cauldwell	Genet	Mattoon	Nicks	Pierce
Crowley	Graham	Morgan	Norton	Thayer
Edwards	Humphrey	Morris	Palmer	Williams

20

FOR THE NEGATIVE.

Bradley	Campbell	Hale	Hubbard	Van Petten
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Humphrey moved to reconsider the vote recommitting the bill entitled "An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860," to the committee on banks, with instructions to make certain amendments thereto.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

The Assembly bill entitled "An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Humphrey	Nicks	Tweed
Cauldwell	Genet	Kennedy	O'Donnell	Van Petten

Chapman Crowley	Graham Hale	Mattoon Morris	Palmer Pierce	Williams	24
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FOR THE NEGATIVE.

Campbell 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' passed May 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morris	Pierce	
Bradley	Genet	Humphrey	Nicks	Thayer	
Campbell	Graham	Kennedy	O'Donnell	Van Petten	
Chapman	Hale	Morgan	Palmer	Williams	
Edwards					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of Amity street to Main street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer	
Campbell	Graham	Morgan	O'Donnell	Tweed	
Cauldwell	Hubbard	Morris	Palmer	Van Petten	
Chapman	Humphrey	Nichols	Pierce	Williams	
Edwards	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real property of said company to secure said preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morgan	Pierce	
Cauldwell	Genet	Humphrey	Nichols	Thayer	
Campbell	Graham	Kennedy	Norton	Tweed	
Edwards	Hale	Mattoon	Palmer	Van Petten	20

FOR THE NEGATIVE.

Bradley	Campbell	Crowley	Nicks	Williams	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the laying out and opening of a highway in the town of Flatbush in continuation of East New York avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer	
Bradley	Folger	Humphrey	Nichols	Tweed	
Campbell	Genet	Kennedy	Nicks	Van Petten	
Cauldwell	Graham	Mattoon	Norton	Williams	
Crowley	Hale	Morgan	Pierce		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed moved to take from the table the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2d, 1850."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Said bill having been announced for a third reading,

On motion of Mr. Chapman and by unanimous consent said bill was amended by inserting in section 1, before the word "agricultural" the word "domestic."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Tweed	
Bradley	Edwards	Hubbard	Nicks	Van Petten	
Campbell	Folger	Humphrey	Norton	Williams	
Cauldwell	Genet	Mattoon	Pierce		19

FOR THE NEGATIVE.

Morgan	O'Donnell	Thayer	3.
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Tweed
Beach	Folger	Humphrey	Palmer	Van Petten

Bradley	Graham	Mattoon	Pierce	Williams	
Chapman	Hale				17.

FOR THE NEGATIVE.

Kennedy

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend 'An act to amend the charter of the Young Men's Association of the city of Buffalo,' passed January 25, 1865, and to authorize the issuing of bonds by said association," having been announced for a third reading,

Mr. Nichols moved to substitute the Assembly bill upon same subject, with same title.

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Nicks	
Beach	Edwards	Hale	Morgan	Thayer	
Campbell	Folger	Hubbard	Morris	Van Petten	
Cauldwell	Genet	Kennedy	Nichols	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York," having been announced for a third reading,

On motion of Mr. Banks and by unanimous consent said bill was amended by striking out all after the word "property" in line 11 of section 2, and inserting the following:

"But such improvement shall be made without expense for construction either to the State or city of New York."

Mr. Bradley moved that said bill be recommitted to the committee on engrossed bills, with instructions to report the same immediately.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Williams, from the committee on State prisons, to which was referred the bill entitled "An act authorizing the appointment of commissioners to locate a new State prison," reported that they have made some amendments thereto, and amended the title so as to read "An act authorizing the appointment of commissioners to locate a State penitentiary or industrial reformatory," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the Fireman's Trust Insurance Company of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly re-engrossed the bill entitled as follows:

"An act to provide sites for armories for the Seventh and Seventy-first regiments of the National Guard of the State of New York."

Mr. Bradley moved that said bill be now read the third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Kennedy	Murphy	Parker
Bradley	Crowley	Mattoon	Nicks	Tweed
Campbell	Edwards	Morgan	Norton	Van Petten
Cauldwell	Hubbard	Morris	Palmer	Williams

20

FOR THE NEGATIVE.

Banks Thayer

2

Ordered; That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan police district of the State of New York,' passed April 14th, 1866, and to appropriate the moneys received under this act; also to amend the general laws of the State in relation to the sale of intoxicating liquors," reported in writing, and adversely thereto, which report was laid on the table and ordered printed.

(See Doc. No. 74.)

Mr. Tweed, from the minority of the committee, submitted a report in writing, which was laid on the table and ordered printed.

(See Doc. No. 75.)

Mr. Genet moved to disagree with the report of the majority of the committee, and that the bill be now referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Norton
Beach	Genet	Mattoon	Murphy	Pierce
Bradley	Graham	Morgan	Nichols	Tweed

16

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Palmer	Van Petten
Chapman	Hale	Nicks	Parker	Williams
Crowley	Humphrey	O'Donnell	Thayer	

14

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to incorporate the Baptist Home of Brooklyn, New York."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to

construct a railroad on and near its present route,' passed May 19th, 1868."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act relating to the bridges across the Mohawk river at Fort Plain."

"An act to authorize the trustees of the village of Canandaigua to borrow money to pay for the execution and completion of a canal and basin in Canandaigua lake, at the foot of Main street in said village."

Ordered, That the Clerk return said bills to the Assembly.

Mr. Pierce moved to take from the table the question of agreeing to the report of the committee on municipal affairs adverse to the Assembly bills entitled as follows:

"An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue."

"An act to close a portion of old Bushwick road or avenue between Scholes street and Meserole street, and between Boerum street and McKibben street."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Pierce moved to recommit said bills to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Genet moved that the special order to-day, being the concurrent resolution from the Assembly relative to the proposed fifteenth amendment to the Constitution of the United States, be postponed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Beach offered the following:

Resolved, That when the Senate adjourn to-morrow, it adjourn to meet on Monday at 7½ o'clock, P. M.

Mr. Morgan moved to amend by striking out "7½ o'clock, P. M.," and inserting "10½ o'clock, A. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to authorize the construction of a railroad in Broadway, Lexington avenue, and certain other streets and avenues in the city of New York."

After some time spent therein the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Tweed moved to make said bill the special order to-morrow morning immediately after reading the journal.

Mr. O'Donnell moved to amend by striking out "to-morrow" and inserting "Thursday."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Tweed, the Senate adjourned.

SATURDAY, APRIL 10, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The Journal of yesterday was read and approved.

Mr. Tweed, from the Select committee of nine, reported the following entitled bills complete:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

"An act to amend section 7, of article 1st, title 3, chapter 1st, part 4th of the Revised Statutes; said article being entitled 'Of arson.'"

"An act with reference to juries in the district courts of the city of New York."

"An act for the relief of the 'Hornell Library Association.'"

"An act to incorporate the Middletown and Wurtsboro' Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton."

"An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road, and to regulate tolls thereon."

"An act to authorize the straightening of the Central avenue in Westchester county near Central bridge."

Assembly, "An act to authorize Dale Cemetery Association in the town of Ossining, in the county of Westchester, to invest their surplus funds."

Assembly, "An act to incorporate the 'Shokan Hall Association' of Shokan, in the town of Olive, Ulster county."

"An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same."

Assembly, "An act to amend an act entitled 'An act to incorporate the village of Cortland, in the town of Cortlandville, county of Cortland, and to repeal its present charter,' passed April 28, 1864."

Assembly, "An act relating to the village of Phelps, Ontario county, regulating sales by auction within said village."

"An act to amend an act entitled 'An act relative to the Albany railway.'"

"An act to amend the charter of the Asbury Life Insurance Company."

Assembly, "An act to provide for the purchase of a steam fire engine in the village of Palmyra, and for the more effectual protection of said village against fire."

"An act to incorporate the Hillsdale Union Hall Company."

"An act to incorporate the Central Savings Bank of the city of New York."

"An act to amend the charter of the 'Prospect Park Fair Ground Association.'"

Assembly, "An act to incorporate the Port Jervis Savings Bank."

"An act in relation to the Board of State Commissioners of Public Charities."

"An act to incorporate the Howard Literary Association of the city of Brooklyn."

Assembly, "An act to incorporate 'The Flushing Library Association.'"

Assembly, "An act to incorporate the New York State Poultry Society."

Assembly, "An act to encourage the organization of town agricultural societies."

"An act to amend an act entitled 'An act to incorporate the village of Cobleskill, Schoharie county,' passed April 3, 1868."

Assembly, "An act to authorize the judges of the several courts of the county of Kings to send prisoners convicted and sentenced for terms less than five years to the penitentiary of said county."

Assembly, "An act to incorporate the New York Amusement Company, in the city of New York."

Assembly, "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburg,' passed April 13, 1857, and the acts amendatory thereof."

Assembly, "An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county."

Assembly, "An act to authorize the city and town of Binghamton to purchase the two toll bridges across the Susquehanna river at Binghamton, and to maintain them as free bridges."

"An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates.'"

"An act to authorize the inhabitants of the town of Homer to issue bonds for the completion and endowment of the Cortland academy, at Homer."

"An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868."

"An act to establish a public place in the city of New York."

"An act to amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April 23, 1862, and to create a short bar to actions arising under said act,' passed May 9, 1867."

"An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose."

"An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861."

"An act to authorize and empower the New York and Highland Suspension Bridge Railway Company to build a bridge across the Harlem river."

"An act to amend the charter of the village of Little Falls."

"An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854."

"An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858."

"An act in relation to the receiver of taxes and assessments for the town and village of Yonkers."

"An act to regulate the sale of tickets for admission to theatrical, dramatic, operatic and other public amusements and entertainments in the cities of New York and Brooklyn."

"An act to amend the act entitled 'An act to provide for the drainage of the low lands in the southeast part of the town of Cambria, in the county of Niagara,' passed May 9, 1868."

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend section 2 of chapter 108 of the Laws of 1866, in relation to the charter of the village of Cooperstown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to divide the seventh judicial district of the city of New York, and to create a new judicial district therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital,' passed April 13, 1853," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Methodist Book Concern, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to a tax on dogs in the city of Rochester and the several towns in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely: Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to regulate the term of office of notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 324 of the Laws of 1850, entitled 'An act in regard to boards of health in cities and villages,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The Ontario County Savings Bank,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the construction of a drain or sewer in Central avenue, Johnson avenue and Knickerbocker avenue, and other streets in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the city of Poughkeepsie,' passed March 28, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act declaring the Great Chazy river a public highway, and for regulating the passage of logs and lumber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act relating to public alleys in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the purchase of a steam fire engine in the village of Sing Sing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the acts of Edmund B. Graham, a notary public in and for Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to appropriate certain moneys of the town of Bradford, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the towns of Westchester and West Farms to

construct a highway in said towns, to be known as 'The Fordham and Pelham avenues,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of the Brooklyn and Winfield Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide a suitable room for the Exempt Fireman's Association of the city of New York, in which to hold its meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the town of Rome, Oneida county, to issue bonds and purchase fair grounds in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to enlarge the boundaries of the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to amend the several acts incorporating the village of Pulaski, in the county of Oswego,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the construction and maintenance of a bridge over the Tioughnioga river in the town of Cuyler, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to lay out, construct and maintain a public road in the town of Newtown, Queens county, from Jackson avenue to the village of Newtown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the levying of a tax upon the town of Gouverneur, in the county of St. Lawrence, for the benefit of the Gouverneur Wesleyan Seminary, and to increase the capital stock of said seminary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the village of Adams to issue bonds for the purpose of aiding in the rebuilding of the Ilungerford Collegiate Institute, and to levy a tax for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to further amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act for the protection of the public health in the town of Watervliet,' passed April 7, 1866," which was read the first time, and by unanimous consent was also read the sec-

ond time, and referred to the committee on internal affairs of towns and counties.

"An act for the relief of the Fulton County Agricultural Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act authorizing the consolidation of certain railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the sheriff of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal a clause in the charter of the village of Nunda, in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to change the name of the Wesleyan Methodist Episcopal Zion Church Society of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the directors of the 'Brooklyn Club' to make by-laws and perform other acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the increase of the stock of the New York Central Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. O'Donnell offered the following:

Resolved, That the committee on railroads be directed to amend the above entitled bill by adding the following as an additional section thereto:

"Section . Each and every steam railroad company owning or operating a road within the State of New York, shall on or before the first day of June, 1869, and in each year thereafter, at the time of making their annual reports as required by law, file with the State Engineer and Surveyor a statement verified by the affidavit of the President and General Superintendent thereof showing the average cost per ton, or otherwise, per mile, for the different classes of freight, as now classified by such companies, from and to every station within the State for the preceding year, ending at the time of their annual reports to the said department; and every such company are hereby prohibited from charging for freight transportation per ton, or otherwise from any station to any station within the State over ten per cent above such cost as returned under the provisions of this act."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

"An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect taxes to pay the same," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Campbell and by unanimous consent the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Murphy	Thayer
Beach	Edwards	Kennedy	Nichols	Tweed
Campbell	Folger	Mattoon	Nicks	Van Petten
Cauldwell	Genet	Morgan	Parker	Williams
Chapman	Graham	Morris	Pierce	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The President having announced the order of third reading of bills pursuant to the 9th joint rule,

Mr. Genet moved to lay the order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Pierce
Beach	Creamer	Hubbard	Morris	Tweed
Bradley	Edwards	Humphrey	Nicks	Van Petten
Cauldwell	Genet	Kennedy	Norton	Williams
				20

FOR THE NEGATIVE.

Campbell	Morgan	Nichols	Palmer	Thayer
Folger	Murphy	O'Donnell	Parker	9

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to authorize the construction of a railroad in Broadway, Lexington avenue, and certain other streets and avenues in the city of New York."

After some time spent therein the President resumed the chair, and Mr. Campbell, from said committee, reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the construction of a railroad in certain streets and avenues in the city of New York," and as amended recommend its passage.

Mr. O'Donnell moved to amend the report of the committee of the whole as follows, being amendment offered in committee of the whole:

Add the following section:

"§ . The capital stock of the said railroad company shall be assessed in the same manner and at the same rate as now provided by law for real estate."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Morgan	Palmer	Van Petten
Chapman	Folger	Nichols	Parker	Williams
Crowley	Kennedy	O'Donnell		13

FOR THE NEGATIVE.

Banks	Creamer	Humphrey	Murphy	Pierce
Beach	Genet	Mattoon	Nicks	Thayer
Bradley	Graham	Morris	Norton	Tweed
Cauldwell	Hubbard			

17

Mr. O'Donnell renewed the amendment offered in committee of the whole, by adding the following at the end of section 1 :

"But no railroad shall be constructed under this act until a majority of the tax payers representing a majority of the taxable property along the route or routes, as authorized by this act, shall consent thereto ; the said consents shall be first obtained and acknowledged in the same manner as conveyances of real estate are now required by law."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Murphy	O'Donnell	Parker
Chapman	Kennedy	Nichols	Palmer	Thayer
Crowley	Morgan			

12

FOR THE NEGATIVE.

Banks	Creamer	Humphrey	Nicks	Tweed
Beach	Edwards	Mattoon	Norton	Van Petten
Bradley	Genet	Morris	Pierce	Williams
Cauldwell	Hubbard			

17

Mr. O'Donnell renewed the amendment offered in committee of the whole, by adding the following additional section :

"§ . But no railroad shall be constructed under this act until the common council of the city of New York shall have first consented thereto."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Murphy	O'Donnell	Parker
Chapman	Morgan	Nichols	Palmer	Thayer

10

FOR THE NEGATIVE.

Banks	Creamer	Graham	Mattoon	Pierce
Beach	Crowley	Hubbard	Morris	Tweed
Bradley	Folger	Humphrey	Nicks	Van Petten
Cauldwell	Genet	Kennedy	Norton	Williams

20

Mr. O'Donnell renewed the amendment offered in committee of the whole, by adding the following at the end of section 1 :

"But no railroad shall be constructed in said city which shall interfere with any grant or franchise heretofore conferred by the common council or local authorities of the said city."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Morgan	Palmer	Parker	Thayer
Chapman	O'Donnell			

7

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Murphy	Pierce
Beach	Edwards	Humphrey	Nichols	Tweed

Bradley	Folger	Kennedy	Nicks	Van Petten	
Cauldwell	Genet	Mattoon	Norton	Williams	
Creamer	Graham	Morris			23

Mr. Parker renewed the amendment made in committee of the whole, as follows :

Amend section 4 by striking out from the word "the" in the 40th line, to the word "routes" in line 48, inclusive.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Murphy	O'Donnell	Thayer	
Chapman	Kennedy	Nichols	Palmer	Williams	
Crowley	Morgan	Nicks	Parker		14

FOR THE NEGATIVE.

Banks	Cauldwell	Graham	Mattoon	Pierce	
Beach	Creamer	Hubbard	Morris	Tweed	
Bradley	Genet	Humphrey	Norton	Van Petten	15

Mr. Morgan renewed the amendment offered in committee of the whole, by adding as section 10, the following :

"§ 10. It shall be the duty of the comptroller of the city of New York, on the first day of June next, to sell at public auction to the highest bidder, at the court house in the city of New York, the premises, rights and privileges in this bill granted, and to pay over the proceeds of said sale to the chamberlain of the city of New York, to form a part of the sinking fund of said city. The person or persons who become the purchasers shall then be substituted in the place of the persons named in the first section of this act."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Murphy	O'Donnell	Parker	
Crowley	Morgan	Nichols	Palmer	Thayer	10

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Morris	Tweed	
Beach	Creamer	Humphrey	Nicks	Van Petten	
Bradley	Genet	Kennedy	Norton	Williams	
Cauldwell	Graham	Mattoon	Pierce		19

Mr. Folger renewed the amendment offered in committee of the whole, by adding at the end of section 1, as follows :

"The benefits of this act shall be obtained in the manner following, and not otherwise. This act shall go into effect immediately on its passage, but the persons named in this section shall not be empowered to proceed under this act until the lapse of one month from the day it becomes a law, and for the space of twenty days after this act becomes a law they shall have the right to deposit with the chamberlain of the city of New York the sum of \$2,000,000, and as soon as they shall so deposit such sum they shall have the right to proceed under this act. If they do not within said twenty days make such deposit, then from the expiration of said twenty days until the expiration of the said one month, any other person or persons may make such deposit, and on so doing shall be entitled to all the rights and privileges given by this act. If at the expiration of

said month no person or persons shall make such deposit then the persons named in this section may proceed under this act without making said deposit. If such deposit is made by any person or persons, it shall go into the sinking fund of the city of New York for the purpose thereof."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Murphy	O'Donnell	Parker	
Crowley	Kennedy	Nichols	Palmer	Thayer	
Edwards	Morgan				12

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Nicks	Tweed	
Beach	Creamer	Humphrey	Norton	Van Petten	
Bradley	Genet	Mattoon	Pierce	Williams	
Cauldwell	Graham	Morris			18

Mr. Folger renewed the amendment offered in committee of the whole, as follows :

Section 1. In line 12 strike out the words "assigns are authorized and" and insert the words "successors are hereby created an incorporation by the name of the Broadway Surface Railroad Company, and are."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Morris	Nicks	Parker	
Chapman	Kennedy	Murphy	O'Donnell	Thayer	
Crowley	Morgan	Nichols	Palmer		14

FOR THE NEGATIVE.

Banks	Cauldwell	Graham	Mattoon	Tweed	
Beach	Creamer	Hubbard	Norton	Van Petten	
Bradley	Genet	Humphrey	Pierce	Williams	15

Mr. Morgan renewed the amendment offered in committee of the whole, by adding the following as section 10 :

"§ 10. The persons named in the first section of this act are required, as a condition of this grant, and before they commence the construction of said railroad, or either of its branches, to pay to the chamberlain of the city of New York, for the sinking fund of said city, the sum of \$2,000,000 as a consideration for the use of said streets."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Murphy	O'Donnell	Parker	
Crowley	Morgan	Nichols	Palmer	Thayer	10

FOR THE NEGATIVE.

Banks	Chapman	Graham	Mattoon	Pierce	
Beach	Creamer	Hubbard	Morris	Tweed	
Bradley	Edwards	Humphrey	Nicks	Van Petten	
Cauldwell	Genet	Kennedy	Norton	Williams	20

Mr. Morgan renewed the amendment offered in committee of the whole, by adding the following as section 10 :

"§ 10. The said company shall pay annually into the treasury of the city of New York the sum of \$150,000 for the use of the streets named

in this act, the first payment to be made one year from the date of the passage of this act, and to form a part of the sinking fund of said city."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Murphy	O'Donnell	Parker	
Crowley	Morgan	Nichols	Palmer	Thayer	
Folger					11

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Nicks	Tweed	
Beach	Creamer	Humphrey	Norton	Van Petten	
Bradley	Genet	Mattoon	Pierce	Williams	
Cauldwell	Graham	Morris			18

Mr. O'Donnell renewed the amendment offered in committee of the whole, by adding at the end of section 1, the amendment of Mr. Folger, modified by inserting "comptroller" in place of "chamberlain" and inserting "common school fund" in place of "sinking fund."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nichols	O'Donnell	Parker	
Crowley	Morgan	Nicks	Palmer	Thayer	
Folger	Murphy				12

FOR THE NEGATIVE.

Banks	Chapman	Graham	Morris	Tweed	
Beach	Creamer	Hubbard	Norton	Van Petten	
Bradley	Edwards	Humphrey	Pierce	Williams	
Cauldwell	Genet	Mattoon			18

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Van Petten presented a petition of A. H. Robinson and others of New York, in favor of present Excise bill, which was read and referred to the committee of the whole.

Mr. Pierce presented a petition of the superintendent of buildings in the city of Brooklyn, for amendment to act establishing fire limits in said city, which was read and referred to the committee on municipal affairs.

Mr. Palmer presented a petition of citizens of Rhinebeck, for the passage of an act authorizing the board of education of the union free school district No. 5, to borrow money to build a school house, which was read and referred to the committee on literature.

Also a petition of citizens of Middletown, for the passage of the amendment to the Middletown Savings Bank, which was laid on the table.

Mr. Morgan presented a remonstrance of clergymen of the city of Albany, against the act in relation to schools, which was read and referred to the committee of the whole.

Mr. Murphy presented resolutions of the New York Produce Exchange, recommending measures to increase the efficiency of the canals of this State, which were read and referred to the committee on canals.

Mr. Morgan presented a remonstrance of the Presbytery of Rochester,

against the passage of the Excise bill, which was read and referred to the committee of the whole.

Mr. Nicks presented a remonstrance of citizens of Schuyler county, against any modification of the Metropolitan Excise law, which was read and referred to the committee of the whole.

Mr. Williams presented a remonstrance of citizens of Clyde, against amendment of village charter, which was read and referred to the committee on municipal affairs.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16th, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed dissented from said report.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the town of Rome, Oneida county, to issue bonds and purchase fair grounds in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to appropriate certain moneys of the town of Bradford, in the county of Steuben," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution for printing report of Commissioners of Public Charities, reported in favor of the adoption of the following resolution :

Resolved, That 250 copies of the annual report of the Board of State Commissioners of Public Charities be printed on fine paper and bound in cloth for the use of the Board, and 250 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act in relation to the Western Insurance Company in the city of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act for the relief of Elizabeth Crafts, the widow of Edwin Crafts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to submit the question of locating the Wadsworth Normal and Training School upon the public park in the village of Geneseo, Livingston county, to the tax paying electors of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to widen and improve Ninth avenue and Fifteenth street, in the city of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act for the construction of an

avenue in the town of Gravesend, in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the Revised Statutes, in relation to laying out public roads and the alteration thereof in the county of Putnam," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The President presented the 22d annual report of the Regents of the University on the condition of the State Cabinet of Natural History, which was laid on the table and ordered printed.

(See Doc. No. 87.)

Mr. Morgan offered the following:

Resolved, That 1,500 copies of the report of the Regents of the University on the State Cabinet of Natural History be printed for the use of the Regents.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Creamer stated his dissent from the report of the committee on municipal affairs upon the bill entitled "An act in relation to regulating and grading the Eighth avenue in the city of New York." Also, from the report of the committee on municipal affairs adverse to the bill entitled "An act in relation to the salaries and pay of the officers and employees of the Metropolitan fire department," and requested that his dissent be entered upon the journal, and it was so ordered.

On motion of Mr. Tweed and by unanimous consent the Assembly bill entitled "An act to incorporate the New York Amusement Company, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Tweed
Beach	Edwards	Hubbard	Nicks	Van Petten
Bradley	Folger	Mattoon	Palmer	Williams
Chapman	Genet	Morgan	Thayer	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Banks moved that the bill entitled "An act to vest in the board of supervisors of Warren county, power to change the location of the court house, jail and clerk's office, in said county, and to provide for the erection of a new court house and jail in said county," be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman moved that the Assembly bill entitled "An act to submit the question of locating the Wadsworth Normal and Training School upon the public park in the village of Geneseo, Livingston county, to the tax paying electors of said village," be recommitted to the committee on literature, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to provide for the drainage of Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the extension of Washington avenue, in the town of Flatbush, in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act for amending the registry law of the city and county of New York, the city of Brooklyn, and other incorporated cities and villages of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Auburn Savings Institution, and the acts amendatory thereof,' passed May 2, 1864, and April 13, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize the payment of certain moneys into the treasury of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Dry Goods Clerks' Early Closing and Benevolent Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					3
Banks	Beach	Folger			
FOR THE NEGATIVE.					20
Bradley	Edwards	Mattoon	Nicks	Pierce	
Cauldwell	Graham	Morgan	Norton	Thayer	
Chapman	Hubbard	Morris	Palmer	Van Petten	
Creamer	Humphrey	Nichols	Parker	Williams	

Mr. Mattoon moved to take from the table the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Bradley	Folger	Morgan	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Potten
Chapman	Hubbard	Nichols	Pierce	Williams
Creamer	Humphrey	Nicks		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of Little Falls," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Thayer
Beach	Edwards	Mattoon	Norton	Tweed
Bradley	Folger	Morgan	Palmer	Van Potten
Cauldwell	Graham	Morris	Parker	Williams
Chapman	Hubbard	Nichols	Pierce	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Bradley	Folger	Morris	Palmer	Tweed
Cauldwell	Graham	Murphy	Parker	Van Potten
Chapman	Hubbard	Nichols	Pierce	Williams
Creamer	Humphrey	Nicks		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the receiver of taxes and assessments for the town and village of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer
Bradley	Graham	Morris	Norton	Tweed
Cauldwell	Hubbard	Murphy	Palmer	Van Potten
Chapman	Humphrey	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize and empower the New York and Highland Suspension Bridge Railway Company to build a bridge across Harlem river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows: .

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Murphy	Parker
Beach	Edwards	Mattoon	Nicks	Pierce
Bradley	Graham	Morgan	Norton	Twced
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Folger	Thayer	Williams	
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to provide for the drainage of the low lands in the south-east part of the town of Cambria, in the county of Niagara,' passed May 9, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Palmer
Bradley	Edwards	Humphrey	Nichols	Parker
Cauldwell	Folger	Morgan	Nicks	Pierce
Chapman	Graham	Morris	Norton	Van Petten

20

FOR THE NEGATIVE.

Thayer	
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April 23, 1862, and to create a short bar to actions arising under said act,' passed May 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Parker
Bradley	Edwards	Humphrey	Nicks	Pierce
Cauldwell	Folger	Morgan	Norton	Van Petten
Chapman	Graham	Murphy	Palmer	Williams

20

FOR THE NEGATIVE.

Morris	
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Pierce
Beach	Edwards	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hale	Nichols	Parker	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to establish a public place in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Humphrey	Nicks	Thayer
Cauldwell	Folger	Morgan	Palmer	Van Petten
Chapman	Graham	Morris	Parker	Williams
				20

FOR THE NEGATIVE.

Norton	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 1 of chapter 205 of the Laws of 1863, being an act relating to St. Joseph's Orphan Asylum, Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard	Nichols		
				18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the construction of a road and bridge across Huntington harbor, in the town of Huntington and county of Suffolk," having been announced for a third reading,

Mr. Edwards moved to recommit said bill to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act passed April 12, 1859, entitled 'An act to amend the Revised Statutes, in relation to laying out public roads and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 13, 1860,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Pierce
Bradley	Edwards	Morgan	Norton	Thayer
Cauldwell	Folger	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to facilitate the service of civil process upon non-resident stockholders and the personal representatives of deceased stockholders of insolvent corporations, and joint stock companies, in actions now authorized by law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend 'An act incorporating the village of Sing Sing, in the county of Westchester, passed April 9, 1853,

and the act supplementary thereto and amendatory thereof, passed April 18, 1859, and also the act supplementary thereto and amendatory thereof,' passed March 3, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Firemen's Benevolent Association of Buffalo, and to regulate the number of trustees thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sale by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7, 1859, and for the purpose of further providing for the better collection of county taxes in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Pierce moved to take from the table the report of the select committee of nine on the bill entitled "An act extending the term of service

of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of three years."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

On motion of Mr. Pierce and by unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Pierce
Bradley	Edwards	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hubbard	Nichols	Parker	Williams
				20

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bill:

"An act authorizing the construction and maintaining of a free bridge over the Susquehanna river between the towns of Union and Vestal, and the purchasing of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

The Assembly also returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend an act entitled 'An act to incorporate the West Side Savings Bank, to be located in the city of New York,' passed May 19, 1868."

"An act to facilitate the trial of indictments."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Humphrey, the Senate adjourned.

MONDAY, APRIL 12, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Saturday was read and approved.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of special orders, being claim bills entitled as follows:

"An act for the relief of Willis B. Sayre, Julia M. Maxwell, Eloisa O. Beebee, James M. Sayre and Frances E. McHenry, heirs-at-law of Matthew Sayre, deceased."

"An act relating to the claim of Henry I. Seymour for canal damages."

"An act for the relief of Louisa R. Pettit and Job Green, Jr."

After some time spent therein the President resumed the chair, and Mr. Morris, from said committee, reported in favor of the passage of said

bills without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of special orders, being claim bills entitled as follows:

"An act for the relief of John Harvey, and the personal representatives of Walter Bissell, deceased."

Assembly, "An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany on or about the 16th day of June, 1867."

"An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,' and to provide for the further relief of such representatives or their assigns."

After some time spent therein the President resumed the chair, and Mr. O'Donnell, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Folger on behalf of Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the village of Clyde to levy and collect a tax," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Folger and by unanimous consent the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Norton
Beach	Crowley	Hubbard	Morgan	O'Donnell
Bradley	Edwards	Humphrey	Morris	Palmer
Cauldwell	Folger	Kennedy	Nicks	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the claim bills entitled as follows:

"An act for the relief of Nicholas Van De Bogert and Giles Y. Van De Bogert."

Assembly, "An act for the relief of Clinton Stephens."

Assembly, "An act for the relief of Eliza W. Dunlap."

"An act providing for the appraisal and payment of the damages of the Seneca Nation of Indians caused by raising the banks of the feeder on the Oil Spring Reservation supplying water to the Genesee Valley canal."

After some time spent therein the President resumed the chair, and

Mr. Palmer, from said committee, reported progress on the first named bill and asked and obtained leave to sit again.

Mr. Palmer, from the same committee, reported in favor of the passage of the second and third named bills without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Palmer, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to enable John Augustus Hill, an alien, to hold real estate."

"An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed Feb. 17, 1868, and the acts amending or extending the same."

"An act to provide for the completion of the Gowanus canal in the city of Brooklyn, and for the collection of the expenses thereof."

"An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York."

"An act to incorporate the Morrisania Waterworks Company in the county of Westchester."

"An act to incorporate the Knights of St. Patrick of the city of New York."

"An act relating to the procurement of abortions and other like offenses."

"An act for the protection of persons and companies gathering ice for merchandise."

"An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868."

"An act to incorporate the Schenectady Waterworks Company."

"An act extending the term of service of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointments of such physician for the term of three years."

"An act to authorize the board of supervisors of Kings county to include in the next tax levy, the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

"An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867."

"An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors.'"

"An act to legalize the election of justices of the peace in the town of Potsdam, St. Lawrence county, and to amend the act relating to the 'fifth justice' in said town, passed February 7, 1853."

"An act to provide for the safe custody and care of insane criminals."

"An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates.'"

"An act to incorporate the Middletown and Wurtsboro' Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

Mr. Bradley presented a remonstrance against contemplated change in the law relating to the opening and widening of the public streets in the city of New York, which was read and referred to the committee of the whole.

Mr. Palmer presented a protest of citizens of New York against proposed amendments to the Metropolitan Excise law, which was read and referred to the committee of the whole.

Also two petitions of citizens of Crawford for passage of act to amend charter of Middletown Savings Bank, which were laid on the table.

Mr. Norton moved to take from the table the motion to agree with the report of the committee on municipal affairs adverse to the bill entitled "An act in relation to the salaries and pay of the officers, firemen and employees of the Metropolitan Fire department."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to report of the committee, and it was decided in the negative.

Mr. Norton moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for taking testimony to be used in certain cases,' passed April 2, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to extend the jurisdiction of surrogates' courts,' passed April 23, 1867,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in regard to sheriffs' fees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend chapter 456 of the Laws of 1864, in relation to instruction in academies in common school teaching," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Banks moved that the bill entitled "An act to annex parts of the towns of Bethlehem and Watervliet, in the county of Albany, to the city of Albany, and to exempt such parts thereof from certain taxes, and to annex a part of the city of Albany to the town of Guelderland," be recommitteed to the committee on municipal affairs, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Edwards moved that the Assembly bill entitled "An act to establish a receiver of taxes and to authorize the sale of lands for non-payment

of taxes, and for the collection of unpaid taxes, in the town of Flushing, Queens county," be recommitted to the committee on municipal affairs, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Van Petten and by unanimous consent the Senate resolved itself into a committee of the whole upon the bill entitled as follows :

"An act reappropriating a certain portion of the income of the United States Deposit Fund for the benefit of academies."

After some time spent therein the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of said bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Nicks, the Senate adjourned.

TUESDAY, APRIL 13, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Pierce presented a remonstrance of James Boyle and ninety-nine others, against the passage of an act giving authority to the Prospect park commissioners to sell the park lands lying east of Flatbush avenue, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. O'Donnell presented a petition of citizens of Granville, Washington county, for the passage of a law which shall forbid any board of excise in any town or city of the State from granting license whenever a majority of the tax payers representing a majority of the taxable property therein shall remonstrate against license to sell intoxicating liquors, which was read and referred to the committee of the whole.

Mr. Murphy presented a remonstrance of the Association of Exempt Firemen of the city of Brooklyn, against the provision in the proposed act reorganizing the fire department of that city which provides for filling vacancies in the boards of trustees by the remaining members, which was read and referred to the committee on municipal affairs.

Mr. Folger presented a remonstrance of the Young Men's Christian Association of New York, against alteration of Excise law, which was read and referred to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' passed April 30th, 1864," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete :

Assembly, "An act to repeal chapter 648 of the laws of 1868, entitled 'An act to authorize the street commissioner of the village of Belmont,

in the county of Allegany, to lay out and establish a highway or street in said village,' passed May 6, 1868."

"An act authorizing cities and villages to acquire title to property for burial purposes, and to levy taxes for the payment of the same."

Assembly, "An act to incorporate the Ellenville Savings Bank."

Assembly, "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the German Savings Bank of the city of New York,' passed April 9, 1859,' passed March 4, 1865."

"An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the alms house, and for the erection of a work house."

Assembly, "An act to authorize the American Popular Life Insurance Company to increase its capital stock."

Assembly, "An act to repeal the act passed April 17th, 1862, providing for taking agricultural statistics in the several counties of this State."

Assembly, "An act authorizing the supervisor of the town of Woodhull, Steuben county, to issue bonds upon the credit of the town to the amount of four thousand dollars, for the purpose of erecting additional buildings for the use of the Woodhull academy."

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The bill entitled "An act to provide for the completion of the Gowanus canal, in the city of Brooklyn, and for the collection of the expenses thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Nicks
Bradley	Folger	Humphrey	Morris	Pierce
Campbell	Genet	Kennedy	Murphy	Stanford
Cauldwell	Graham	Mattoon	Nichols	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its termination at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Palmer
Campbell	Folger	Humphrey	Morris	Pierce
Cauldwell	Genet	Kennedy	Nichols	Stanford
Creamer	Graham	Mattoon	Nicks	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1868, and the acts amending or extending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	Morgan	Palmer
Cauldwell	Folger	Humphrey	Morris	Pierce
Chapman	Genet	Kennedy	Nichols	Stanford
Creamer	Graham	Mattoon	Nicks	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the election of justices of the peace in the town of Potsdam, St. Lawrence county, and to amend the act relating to the 'fifth justice' in said town," passed February 7, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Kennedy	Nicks
Campbell	Edwards	Hale	Mattoon	Pierce
Cauldwell	Folger	Hubbard	Morris	Stanford
Chapman	Genet	Humphrey	Nichols	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the extension of the manufacture of coarse salt by solar evaporation,' passed April 17, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Hubbard	Morgan	Pierce
Cauldwell	Genet	Humphrey	Morris	Stanford
Chapman	Graham	Kennedy	Nichols	Tweed
Creamer	Hale	Mattoon	Nicks	Van Petten
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable John Augustus Hill, an alien, to hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morgan	Palmer
Campbell	Folger	Humphrey	Morris	Pierce
Cauldwell	Genet	Kennedy	Nichols	Tweed
Chapman	Graham	Mattoon	Nicks	Van Petten
Crowley	Hale			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Morris	Parker
Campbell	Graham	Kennedy	Nichols	Pierce
Chapman	Hale	Mattoon	Nicks	Stanford
Crowley	Hubbard	Morgan	Palmer	Van Petten
Edwards				

21

FOR THE NEGATIVE.

Genet	Norton
-------	--------

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the classification of the directors of the New York Institution for the Instruction of the Deaf and Dumb, and relating to said institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Parker
Campbell	Folger	Kennedy	Nichols	Pierce
Cauldwell	Graham	Mattoon	Norton	Tweed
Chapman	Hale	Morgan	Palmer	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release and convey to Christina H. Surbeck the interest of the people of the State of New York in certain real estate in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Parker
Bradley	Folger	Kennedy	Nichols	Pierce
Campbell	Genet	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Tweed

Creamer	Hale	Morris	Palmer	Van Petten	27
Crowley	Hubbard				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of the 'Hornell Library Association.'"

"An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same."

"An act to amend section 7, of article 1st, title 3, chapter 1st, part 4th of the Revised Statutes; said article being entitled 'Of arson.'"

"An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation."

"An act to incorporate the Asbury Life Insurance Company."

The bill entitled "An act to provide for the safe custody and care of insane criminals," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Morris	Parker	
Campbell	Folger	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Kennedy	Nicks	Van Petten	
Crowley	Graham	Mattoon	Palmer		19

FOR THE NEGATIVE.

Chapman	1
---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the protection of persons and companies gathering ice for merchandise," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Parker	
Campbell	Genet	Kennedy	Nicks	Pierce	
Cauldwell	Graham	Mattoon	Norton	Tweed	
Crowley	Hale	Morgan	O'Donnell	Van Petten	
Edwards	Hubbard	Morris			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Morrisania Waterworks Company in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Parker
Bradley	Edwards	Hubbard	Nichols	Pierce
Campbell	Folger	Humphrey	Nicks	Tweed
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Chapman	Graham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	Nichols	Pierce
Bradley	Edwards	Kennedy	Nicks	Stanford
Campbell	Genet	Mattoon	Norton	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Schenectady Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Morris	Pierce
Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Graham	Mattoon	O'Donnell	Tweed
Creamer	Hubbard	Morgan	Parker	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Folger	Morris	Nicks
Beach	Edwards	Kennedy	Nichols	Parker
Creamer				

11

FOR THE NEGATIVE.

Bradley	Genet	Murphy	O'Donnell	Van Petten
Cauldwell	Mattoon	Norton		

8

Mr. Norton moved to reconsider said vote, and to lay the motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Knights of St. Patrick of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Pierce
Beach	Edwards	Mattoon	Nicks	Stanford
Campbell	Hubbard	Morgan	Norton	Tweed
Cauldwell	Humphrey	Morris	Parker	Van Petten
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Pierce
Beach	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Cauldwell	Edwards	Morris	Stanford
Bradley	Chapman	Graham	Parker	Tweed
Campbell	Creamer			

12

FOR THE NEGATIVE.

Crowley	Hale	Mattoon	Norton	Van Petten
Folger	Kennedy	Murphy	O'Donnell	

9

Mr. Stanford moved to reconsider said vote, and that the motion lie on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to amend section 7, of article 1st, title 3, chap-

ter 1st, part 4th of the Revised Statutes; said article being entitled 'Of arson,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Pierce
Cauldwell	Folger	Kennedy	Nicks	Stanford
Chapman	Graham	Mattoon	Norton	Tweed
Creamer	Hale	Morgan	Parker	Van Petten
Crowley				21

Ordered, That the Clerk return said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the 'Hornell Library Association,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Parker
Bradley	Crowley	Hubbard	Morgan	Pierce
Campbell	Edwards	Humphrey	Morris	Stanford
Cauldwell	Folger	Kennedy	Nicks	Van Petten
				20

FOR THE NEGATIVE.

Genet	Nichols	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Middletown and Wurtsboro' Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Mattoon	Parker
Campbell	Folger	Hubbard	Morgan	Pierce
Cauldwell	Genet	Humphrey	Nicks	Tweed
Chapman	Graham	Kennedy	Norton	Van Petten
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the 'Shokan Hall Association' of Shokan, in the town of Olive, Ulster county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Folger	Kennedy	Nicks	Stanford
Chapman	Genet	Mattoon	Norton	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize Dale Cemetery Association in the town of Ossining, in the county of Westchester, to invest their surplus funds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morgan	Parker
Campbell	Edwards	Humphrey	Morris	Pierce
Cauldwell	Folger	Kennedy	Nichols	Stanford
Chapman	Genet	Mattoon	Nicks	Tweed
Creamer	Graham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the revision of the charter of the the city of Buffalo, and to appoint commissioners to revise the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker
Bradley	Edwards	Humphrey	Nichols	Pierce
Campbell	Genet	Kennedy	Nicks	Stanford
Cauldwell	Graham	Mattoon	Palmer	Tweed
Chapman	Hale	Morgan		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cortland, in the town of Cortlandville, county of Cortland, and to repeal its present charter,' passed April 28th, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Kennedy	Palmer
Bradley	Edwards	Hale	Morris	Parker
Campbell	Folger	Hubbard	Nichols	Pierce
Cauldwell	Genet	Humphrey	Norton	Stanford

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to the village of Phelps, Ontario county, regulating sales by auction within said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Palmer
Bradley	Folger	Humphrey	Morris	Parker
Campbell	Genet	Kennedy	Nichols	Stanford
Cauldwell	Graham	Mattoon	Nicks	Tweed
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend the charter of the Asbury Life Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Morris	Parker
Campbell	Folger	Humphrey	Nichols	Pierce
Cauldwell	Graham	Mattoon	Nicks	Stanford
Chapman	Hale	Morgan	Palmer	Tweed

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the purchase of a steam fire engine in the village of Palmyra, and for the more effectual protection of said village against fire," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morris	Palmer
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Folger	Kennedy	Nicks	Stanford
Creamer	Graham	Mattoon	O'Donnell	Tweed

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the New York State Poultry Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Mattoon	Palmer
Campbell	Folger	Hubbard	Morris	Parker
Cauldwell	Genet	Humphrey	Nicks	Pierce
Creamer	Graham	Kennedy	Norton	Stanford
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Port Jervis Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Morris	Pierce
Bradley	Edwards	Kennedy	Palmer	Stanford
Cauldwell	Graham	Mattoon	Parker	Tweed
Chapman	Hubbard			

17

FOR THE NEGATIVE.

Morgan Nichols

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate 'The Flushing Library Association,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morris	Parker
Campbell	Folger	Hubbard	Nichols	Pierce
Cauldwell	Genet	Mattoon	O'Donnell	Stanford
Chapman	Graham	Morgan	Palmer	Tweed
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to encourage the organization of town agricultural societies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	O'Donnell
Beach	Creamer	Hale	Morris	Palmer
Bradley	Edwards	Hubbard	Nichols	Parker
Campbell	Folger	Kennedy	Nicks	Stanford

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the judges of the several courts of the county of Kings to send prisoners convicted and sentenced for terms less than five years to the penitentiary of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nichols	Parker
Beach	Graham	Morgan	Nicks	Pierce
Cauldwell	Hale	Morris	O'Donnell	Stanford
Edwards	Hubbard	Murphy	Palmer	Tweed

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Parker
Bradley	Edwards	Humphrey	Nicks	Pierce
Campbell	Folger	Mattoon	O'Donnell	Stanford
Cauldwell	Graham	Morgan	Palmer	Tweed
Chapman	Hale	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Murphy	Pierce
Campbell	Folger	Kennedy	Nicks	Stanford
Cauldwell	Graham	Mattoon	Norton	Tweed
Chapman	Hale	Morgan	Palmer	Van Petten
Crowley	Hubbard	Morris	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the city and town of Binghamton to purchase the two toll bridges across the Susquehanna

river at Binghamton, and to maintain them as free bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Morris	Parker
Bradley	Edwards	Kennedy	Nicks	Pierce
Campbell	Folger	Mattoon	Norton	Tweed
Cauldwell	Graham	Morgan	Palmer	Van Petten
Chapman	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Parker
Cauldwell	Hale	Mattoon	Norton	Pierce
Crowley	Hubbard	Morgan	O'Donnell	Stanford
Edwards	Humphrey	Morris	Palmer	Van Petten

20

FOR THE NEGATIVE.

Bradley	Creamer			
---------	---------	--	--	--

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany on or about the 16th day of June, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Kennedy	Nicks	Pierce
Campbell	Edwards	Morgan	Norton	Tweed
Cauldwell	Hale	Morris	O'Donnell	Van Petten
Chapman	Hubbard	Nichols	Palmer	

19

FOR THE NEGATIVE.

Stanford				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Clinton Stephens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Parker
Beach	Crowley	Kennedy	Norton	Pierce
Bradley	Edwards	Morgan	O'Donnell	Tweed
Campbell	Folger	Nichols	Palmer	Van Petten
Cauldwell	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Eliza W. Dunlap," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Pierce
Bradley	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Folger	Morgan	Palmer	Tweed
Chapman	Hale	Nichols	Parker	Van Petten
Creamer	Hubbard	Nicks		

23

FOR THE NEGATIVE.

Beach 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to enable the town of Waddington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866," with a message that they had passed the same with the following amendment:

Add as section 9, the following:

"§ 9. Before any bonds shall be issued pursuant to the foregoing sections of this act the commissioners therein named shall obtain the written consent of a majority of the tax payers of said town of Waddington owning a majority of the taxable property of said town according to the assessment list of tax payers of said town for the year 1868. Said written consent to be proved in the same way as conveyances of real estate and to be filed in the office of the county clerk of said county of St. Lawrence."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Edwards	Kennedy	Nicks	Pierce
Bradley	Folger	Mattoon	O'Donnell	Tweed

Campbell	Hale	Morgan	Palmer	Van Petten	23
Cauldwell	Hubbard	Morris			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Kennedy moved to reconsider the vote agreeing to the report of the select committee of nine upon the bill entitled "An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22d, 1866, and an act amending the same, passed April 22d, 1867, and to extend the powers of the corporation."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Kennedy moved that said bill be recommitted to the committee of the whole, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger offered the following:

Resolved, That the Canal Board be and hereby is respectfully requested to communicate to the Senate whether it has in any instance ordered the deposit of canal tolls to be made with an individual or an individual banker, or with any depository other than an incorporated bank, or banking association; and if so, by what authority of law such order was made.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Norton offered the following:

Resolved, That the committee on railroads be discharged from the further consideration of all bills relating to the transportation of freight and passengers on railroads in this State, and that said bills be referred to the committee of the whole.

Mr. Folger moved to amend by striking out all after the word "Resolved," and inserting "That the committee on railroads be discharged from the further consideration of the pro rata bills referred to them which affect the New York Central railroad, and that they be referred to the committee of the whole."

Mr. Humphrey moved to lay the resolution and amendment upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Humphrey	Murphy	Palmer	9
Genet	Hubbard	Morris	Nichols		

FOR THE NEGATIVE.

Banks	Edwards	Morgan	O'Donnell	Stanford	
Bradley	Folger	Nicks	Parker	Tweed	
Creamer	Kennedy	Norton	Pierce	Van Petten	17
Crowley	Mattoon				

Mr. Morgan moved to lay the order of business of motions and resolutions upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Morgan	Murphy	Tweed	6
Graham					

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Norton	Pierce
Bradley	Edwards	Mattoon	O'Donnell	Stanford
Cauldwell	Folger	Nichols	Palmer	Van Petten
Creamer	Hubbard	Nicks	Parker	19

Mr. Van Petten moved to amend the resolution of Mr. Norton by striking out all after the word "Resolved," and inserting "That the committee on railroads be instructed to report at an early day a pro rata freight bill."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Palmer moved to amend the amendment of Mr. Folger by including also the "Erie, Hudson River and Harlem railroads."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the amendment of Mr. Folger as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Folger	Mattoon	Pierce
Bradley	Crowley	Humphrey	Norton	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Van Petten
Cauldwell				16

FOR THE AFFIRMATIVE.

Beach	Hale	Murphy	Palmer	Tweed
Graham	Morris	Nichols		8

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Pierce
Campbell	Edwards	Kennedy	Nicks	Stanford
Chapman	Folger	Mattoon	Norton	Van Petten
Creamer	Hubbard	Morgan	O'Donnell	19

FOR THE NEGATIVE.

Beach	Cauldwell	Graham	Morris	Palmer
Bradley	Genet	Hale	Murphy	Tweed
				10

Mr. Chapman offered the following:

Resolved, That the Secretary of the Board of Regents be requested to communicate to this body the views of the committee of that board having charge of the State Cabinet, in regard to the desirableness of the State of acquiring for its Cabinet the great scientific collections of Professor James Hall.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act in relation to the general city tax to be raised in the city of Buffalo for the year 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Belgian Towing Com-

pany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act for the relief of Charles J. De Graw," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The President announced the special order, being the concurrent resolution from the Assembly proposing amendment to the Constitution of the United States.

Mr. Nichols moved that it be postponed until to-morrow immediately after reading of the journal.

The President put the question whether the Senate would agree to said motion to postpone, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Nichols	Palmer
Beach	Edwards	Morris	Nicks	Pierce
Campbell	Graham	Murphy	O'Donnell	Van Petten

15

FOR THE NEGATIVE.

Bradley	Creamer	Genet	Kennedy	Parker
Cauldwell	Folger	Humphrey	Mattoon	Stanford
Chapman				

11

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the establishment of a law department in the St. Lawrence University," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act in relation to a tax on dogs in the city of Rochester, and the several towns in the county of Monroe," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to a public park in the city of Albany," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of E. H. Edwards for reference of his claim to the Canal Board, reported by bill entitled "An act to refer to the Canal Board the claim of Edward H. Edwards," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act passed 1860, chapter 359, page 605, establishing a free school in district No. 4, town of Oyster Bay, Queens county," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act to alter school district No. 4, in the town of Oyster Bay, Queens county,' passed April 13, 1860," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the village of Adams to issue bonds for the purpose of aiding in the rebuilding of the Hungerford Collegiate Institute, and to levy a tax for the payment of the same,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to prohibit the sale of adulterated articles of food, drink or medicine."

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

"An act to incorporate the Niagara Ship Canal Company."

After some time spent therein the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Parker moved to make said bill the special order for Monday, April 19th, at 7½ o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby."

"An act authorizing Catskill union free school district No. 1, of the town of Catskill, to borrow money to erect and improve school buildings."

"An act to amend an act entitled 'An act providing for the erection of a town hall, in the town of Morrisania, Westchester county,' passed April 13, 1868."

"An act to amend an act entitled 'An act for laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester,' passed May 19, 1868."

"An act to establish and incorporate the board of education of the Methodist Episcopal Church."

"An act authorizing 'Lillie Safe and Iron Company' to change its corporate name to that of the 'Mineral Vale Iron and Safe Works.'"

"An act to authorize the completion and maintenance of Riverdale avenue, in the town of Yonkers."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the Irish Brigade Association, in the city of New York."

Ordered, That the Clerk return said bill to the Assembly.

On motion of Mr. Kennedy, the Senate adjourned.

WEDNESDAY, APRIL 14, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Riley.

The Journal of yesterday was read and approved.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act relative to the Albany railway.'"

"An act to authorize the straightening of the Central avenue in Westchester county near Central bridge."

"An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road, and to regulate tolls thereon."

"An act to incorporate the Albany Board of Lumber dealers."

"An act to incorporate the Hillsdale Union Hall Company."

"An act to incorporate the Central Savings Bank of the city of New York."

"An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the alms house, and for the erection of a work house for said county."

"An act to amend an act entitled 'An act to incorporate the village of Cobleskill, Schoharie county,' passed April 3, 1868."

"An act to incorporate the Howard Literary Association of the city of Brooklyn."

"An act reappropriating a certain portion of the income of the United States Deposit Fund for the benefit of academies."

"An act to amend the charter of the 'Prospect Park Fair Ground Association.'"

"An act to authorize the inhabitants of the town of Homer to issue bonds for the completion and endowment of the Cortland academy, at Homer."

"An act providing for the appraisal and payment of the damages of the Seneca Nation of Indians caused by raising the banks of the feeder on the Oil Spring Reservation supplying water to the Genesee Valley canal."

"An act for the relief of John Harvey and the personal representatives of Walter Bissell, deceased."

"An act for the relief of Louisa R. Pettit and Job Green, Jr."

"An act relating to the claim of Henry I. Seymour for canal damages."

"An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,' and to provide for the further relief of such representatives or their assigns."

"An act for the relief of Willis B. Sayre, Julia M. Maxwell, Elosia O. Beebe, James M. Sayre and Frances E. McHenry, heirs-at-law of Matthew Sayre, deceased."

"An act to authorize the construction of a railroad in certain streets and avenues in the city of New York."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Ellenville Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Parker
Campbell	Folger	Kennedy	O'Donnell	Tweed
Chapman	Hale	Mattoon	Palmer	Williams
Crowley	Hubbard	Morris		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act relating to the procurement of abortions and other like offenses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Nicks	Tweed
Chapman	Hale	Mattoon	Palmer	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Albany Board of Lumber Dealers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Parker
Beach	Edwards	Kennedy	O'Donnell	Stanford
Bradley	Folger	Mattoon	Palmer	Williams
Campbell	Graham	Nichols		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cobleskill, Schoharie county,' passed April 3, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Parker
Beach	Edwards	Hubbard	Nichols	Stanford
Bradley	Folger	Humphrey	Nicks	Tweed

Campbell	Genet	Kennedy	Palmer	Williams	
Chapman	Graham	Mattoon			23,

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road, and to regulate tolls thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morris	Parker	
Bradley	Edwards	Hale	Nichols	Stanford	
Campbell	Folger	Hubbard	O'Donnell	Thayer	
Cauldwell	Genet	Humphrey	Palmer	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the straightening of the Central avenue, in Westchester county, near Central bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Thayer	
Campbell	Folger	Humphrey	Palmer	Twced	
Cauldwell	Graham	Morris	Parker	Van Petten	
Chapman	Hale	Nichols	Stanford	Williams	20

Ordered, That the Clerk return said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act relative to the Albany railway,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer	
Beach	Edwards	Humphrey	Palmer	Van Petten	
Campbell	Graham	Morris	Parker	Williams	
Cauldwell	Hale	Nichols	Stanford		19

FOR THE NEGATIVE.

Twced

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act with reference to juries in the district courts of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Mattoon	Parker
Beach	Folger	Hubbard	Morris	Thayer
Campbell	Genet	Humphrey	Nichols	Van Petten
Cauldwell	Graham	Kennedy	Palmer	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Hillsdale Union Hall Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Palmer	Thayer
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Humphrey	Nichols		

18

FOR THE NEGATIVE.

Hale				
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Central Savings Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Palmer	Thayer
Bradley	Folger	Kennedy	Parker	Van Petten
Campbell	Hale	Mattoon	Stanford	Williams
Cauldwell	Hubbard	Morris		

18

FOR THE NEGATIVE.

Nichols				
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the 'Prospect Park Fair Ground Association,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Stanford
Bradley	Graham	Kennedy	Nicks	Tweed
Cauldwell	Hale	Mattoon	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Howard Literary Association, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Bradley	Folger	Humphrey	Nichols	Stanford
Chapman	Graham	Kennedy	Nicks	Van Petten
Crowley	Hale	Mattoon	Palmer	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the inhabitants of the town of Homer to issue bonds for the completion and endowment of the Cornell academy, at Homer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Pierce
Bradley	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Hale	Morgan	Palmer	Van Petten
Chapman	Hubbard			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Louisa R. Pettit and Job Green, Jr.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Morris	Palmer
Campbell	Edwards	Kennedy	Nichols	Pierce
Cauldwell	Hale	Mattoon	Nicks	Tweed
Chapman	Hubbard	Morgan	O'Donnell	Van Petten
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Willis B. Sayre, Julia M. Maxwell, Elosia O. Beebe, James M. Sayre and Frances E. McHenry, heirs-at-law of Matthew Sayre, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Palmer
Bradley	Folger	Hubbard	Nichols	Parker
Campbell	Genet	Kennedy	Nicks	Pierce

Cauldwell	Graham	Mattoon	O'Donnell	Tweed	21
Chapman					

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,' and to provide for the further relief of such representatives or their assigns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	O'Donnell	Stanford	19
Cauldwell	Graham	Mattoon	Palmer	Thayer	
Creamer	Hale	Morgan	Parker	Tweed	
Edwards	Hubbard	Nicks	Pierce		

FOR THE NEGATIVE.

Crowley	Humphrey	Morris	Nichols	Van Petten	6
Folger					

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief John Harvey, and the personal representatives of Walter Bissell, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Palmer	Tweed	18
Cauldwell	Genet	Mattoon	Pierce	Van Petten	
Chapman	Hale	Morris	Thayer	Williams	
Creamer	Hubbard	Nicks			

FOR THE NEGATIVE.

Campbell	Folger	Graham	Humphrey	O'Donnell	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nichols moved that the present order of business be laid upon the table until the special order is disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President announced the special order, being the concurrent resolution of the Assembly relative to the proposed amendment of the Constitution of the United States, as follows:

Whereas, at the session of the fortieth Congress, it was resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, that the following article shall be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which said amendment, when it shall have been ratified by three-fourths of the said

Legislatures, shall be valid to all intents and purposes as a part of the said Constitution, namely:

"ARTICLE FIFTEEN.

"§ 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

"§ 2. The Congress shall have power to enforce this article by appropriate legislation."

Resolved, (if the Senate concur,) That the said proposed amendment to the Constitution be and the same is hereby ratified by the Legislature of the State of New York.

Mr. Hubbard moved the following amendment for the resolution under consideration:

Whereas, a proposition is about to be submitted to the people of this State for them to determine whether they will adopt free suffrage for colored men in this State or not; therefore, be it

Resolved, That all action of the Legislature in relation to the proposed fifteenth amendment to the Constitution of the United States be suspended until the question of free suffrage for colored men shall be determined by the people of the State.

The President put the question whether the Senate would agree to said motion of Mr. Hubbard, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

Mr. Beach moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	

Crowley
FolgerKennedy
Mattoon

O'Donnell

Stanford

Williams

17

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 14, 1869. }

To the Senate: I return, without my signature, Senate bill No. 138, entitled "An act to authorize the construction of a railroad in 125th street, and in certain other streets and avenues in the city of New York."

This bill grants to ninety-six persons named in it, residents of various parts of the State, the privilege and franchise of constructing, operating and maintaining the railroad mentioned in its title, without any limitation as to time, and without any consideration for the grant, except that the grantees shall pay into the city treasury the same license fees as are now paid by other city railroad companies in the city of New York.

Only a portion of the city railway companies pay or are required to pay a license fee. Some have been declared by the Court of Appeals exempt from any such liability under the provisions of their charters. Some pay fifty dollars a year for each car, and others less. The requirement, therefore, of this bill to pay the same fees as are paid by other companies may not impose any condition, or mean anything as an obligation. But however this may be, the license fee is only a nominal charge, or nearly so, upon each car, as a matter of police regulation, and it cannot be regarded as a compensation in any sense for the value of the privileges granted. The bill, therefore, as it comes before me, is a legislative grant to certain preferred individuals of a special license privilege and property, to be enjoyed and used by them in the public streets of the city of New York, without any compensation to the people of the State or city for its value. I cannot concur in or give my sanction to any such act of legislation.

The argument has been presented to me that the streets in and through which it is proposed to lay and operate this railroad, are not very important—that the travel thereon, other than that upon the railroad, will not be great, and therefore that an exception should or might be made to the rule which I have always advocated as reasonable and just, that compensation for the privileges granted should be required. I have also been referred to the example of my immediate predecessor, Governor Fenton, who, while he refused to approve certain railroad grants, signed one last year (similar in character to that now proposed), known as the "Avenue C Railroad Bill," which provided for the payment of the nominal sum of one thousand dollars per annum by the company into the treasury of the city of New York.

I have also been referred to the example of Governor Morgan, who, in the year 1861, approved of what is known as the "Ninth Avenue Railroad Bill," while vetoing other bills of a like character.

I cannot, however, allow this argument or these precedents to control my action in regard to the bill now under consideration.

One Hundred and Twenty-fifth street is the chief thoroughfare of the large and growing district, known as Harlem, in the northern portion of New York Island. If this railroad is required for the convenience of the people of that section, the privileges granted by the bill will constitute

property of great and annually increasing value. If it is not required, the grant should not be made. The questions which relate to the merits of all city railroad grants, and the terms and conditions upon which they should be made, are as distinctly raised by this bill, therefore, as if its provisions applied to the more densely populated sections of the city, and embraced a larger number of more important and greatly traveled streets and avenues.

I shall, therefore, as briefly as possible present my views upon the whole subject.

The precedents cited, established by my predecessors, can have no weight with me, because the principles which I hold as controlling, in regard to all these railroad grants, are not in their nature changeable, to be applied, relaxed, or compromised on personal or any other grounds. They are necessarily fixed and immutable.

I hold that these grants belong to the people; that their value should be paid to the treasury of the State or of the city of New York; and that the Legislature has not the right in morals or justice to give them away to any individuals who may be selected for such benefaction.

If the grant made by this bill, or by any one like it, is worth ten thousand dollars per annum, the effect of the bill is to give that sum annually to the grantees, for all future time, without consideration. It seems to me that the simple statement of the proposition is sufficient to show the unjustifiable character of the act.

All legislation should be founded on public reasons and be for public benefit. Legislation is a "public trust," and not a mere right to be exercised for private benefit or emolument. It should be as impartially administered and executed as any judicial or other power of government.

Our Constitution and our form of government recognize no distinction between classes of the community, and give no right to the representatives of the people to distinguish any individuals, by grants or gifts of public property which are withheld from others. Legislation is in the name of the people—by the people and should be for the people.

Where is the authority from the people for the enactment of a law making to individuals the gift here proposed to be made?

In my judgment, equity demands that the value of these railroad grants should be paid into the treasury of the city of New York rather than into that of the State, and should be applied either to the reduction of the debt of that city or of the annual taxes levied on its citizens. These railroads are to be operated wholly within the city, and by a special use of its streets. These streets have either been dedicated to public use by the owners of adjacent lands or paid for by assessment on such property. They are paved and repaved, lighted and cleaned at the expense of the tax-payers, who also pay for maintaining police and sanitary regulations, and the general expenses of the municipal government. If any revenue can be derived from the use of such streets, it seems to me to be equitable and just that it should be applied to the payment of these expenses.

Ten or more railroads have already been established in the city of New York by virtue of special grants made by the Legislature. None of these railroads have been required to make any payment for the value of the privileges granted, except a mere nominal license fee, or (as in the case to which I have above referred), a nominal annual payment. All of these grants were valuable when made, and some of them were and are of great and increasing pecuniary value. The capital stock of the roads and their profits have been greatly disproportioned to their actual outlay

and expenditures. Two of them (and only two), viz: the Sixth Avenue and Eighth Avenue railroads, are required to make monthly returns of their receipts. The receipts of these two companies, during the last year, were as follows:

Sixth avenue	\$618,570 51
Eighth avenue	783,288 79

From this statement of receipts (which in each case are about double what they were ten years ago), some idea may be formed of the great and increasing value of railroad grants in the city. If all the companies had been required to pay to the city an adequate sum for the value of the privileges granted to them, the debt of the city would have been largely decreased; or if they had been required to pay a yearly compensation in proportion to the yearly increasing value of their grants, the annual taxes levied would have been materially reduced each year, and the people would have been so far relieved from the heavy burdens of taxation.

In my judgment, the Legislature had no more right, in morals, to give away these privileges, and deprive the tax-payers of that city of their just rights in respect to them, than they had to impose a direct tax, of the same pecuniary extent, for the benefit of the persons named in the bill.

I am not opposed to the construction of railroads in the streets of the city of New York. I am aware that additional facilities for travel are required. The improvements being made in the upper portion of the city, occupied for residences, at points remote from the business sections, and the distance to be traveled from the ferries and railway depots to the commercial center create a great and growing demand and necessity for more city railroads. I will gladly give my sanction to any just plan calculated to meet this requirement. But however urgent and pressing may be the inconvenience from the present deficiency in the means of public travel, I cannot consent to give my approval to any measure which, while it may add to the public convenience, violates important public rights or principles, or the true policy of government.

I respectfully submit to the Senate that the just mode of providing additional railroad facilities for the city of New York, would be to authorize the construction of such roads on suitable routes, with careful regulations for the protection of public and private interests. The grant or grants for such roads to be disposed of by the proper authorities of such city, at public auction, to the parties who will agree, with sufficient security to pay to the city the largest sum, in gross, or the largest sum annually, for the privileges granted; or if not at public auction, then in such other way as may be best calculated to make certain a fair and honest disposition of the grants, upon terms which will secure to the city treasury their just and reasonable value.

An act containing such provisions, or framed upon such principles, at the same time providing safeguards for the general public convenience, and for the protection of private rights, would be free from any imputation of favoritism and improvidence, and would secure to the tax-payers a just return for the use of the public property granted.

I respectfully ask, therefore, a reconsideration of the bill herewith returned.

JOHN T. HOFFMAN.

Mr. Genet moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Norton
Bradley	Hale	Kennedy	Murphy	Van Petten
Cauldwell	Hubbard	Mattoon	Nicks	Williams
Crowley				

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FOR THE NEGATIVE.

Campbell	Edwards	Morgan	O'Donnell	Parker
Chapman	Folger	Nichols	Palmer	Stanford
Creamer				

11

Mr. Thayer presented a remonstrance of citizens of Whitehall, against a bill to amend the charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented resolutions of the board of trade of Buffalo, in favor of an amendment of the Constitution, so that canals can be enlarged, and also for appointment of board of engineers, which were read and referred to the committee on canals.

Mr. Pierce presented a remonstrance of Edmund Driggs and forty-four others, against the passage of any law giving authority to sell the park lands lying east of Flatbush avenue, which was read and referred to the committee on municipal affairs.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the imprisonment of convicts in the penitentiaries of Syracuse and Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend the banking laws of the State in relation to closing the circulation of banks, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the board of supervisors of the county of Kings to equalize the salaries of the several judicial officers in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate and fix the salaries of certain members of the Capital Police force, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the New York Burglar Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Valatie, in the county of Columbia," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of McGrawville, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to close part of the Hunterfly road, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to prevent nuisances near public schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act authorizing and requiring the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act relative to common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the construction of a bridge over the Black river canal, in the village of Port Leyden, in the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to change the corporate title of the General Synod of the Reformed Protestant Dutch Church to that of the General Synod of the Reformed Church in America."

"An act to amend section 1 of chapter 205 of the Laws of 1863, being an act relating to St. Joseph's Orphan Asylum, Rochester."

"An act to empower the trustees of the village of Flushing, Queens county, to open a public street from Union street to Main street in said village, being a continuation of Amity street to Main street."

"An act to incorporate the New York Amusement Company, in the city of New York."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to provide for the rebuilding of the free bridge over the Hudson river, between the towns of Fort Edward, in the county of Washington, and Moreau, in the county of Saratoga, where the present bridge is now located, and making the maintenance thereof a charge on said towns."

"An act to enable the supervisors in the counties of Ulster and Greene to issue bonds of said counties to refund taxes illegally collected."

"An act for the relief of Richard M. Hoe and William Watson, commissioners, under the act passed the 12th day of April, 1867, to grade, regulate and macadamize the southern highway, in the towns of Westchester and West Farms"

"An act to amend 'An act to incorporate the General Synod of the Reformed Dutch Church,' passed April 7, 1819, and to enable said Synod to hold property to a greater amount."

"An act to increase the compensation of the supervisors of the counties of Broome and Allegany."

"An act making appropriations for deficiencies in existing appropriations to meet existing claims and demands against the State."

"An act to amend an act entitled 'An act in relation to schools in the village of Binghamton,' passed April 19, 1861, as incorporated into the charter of the city of Binghamton, in title 11 of the act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the various acts amendatory thereof."

"An act to amend the charter of the Missionary Society of the Methodist Episcopal Church."

"An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867."

"An act to amend an act entitled 'An act to incorporate the Fire Proof Warehousing Company.'"

"An act to authorize Avenue C Railroad Company, of the city of New York, to extend their railroad tracks through certain streets and avenues in the city of New York."

"An act to amend an act entitled 'An act to incorporate the Emigrant Industrial Savings Bank,' passed 10th April, 1850."

"An act to incorporate the trustees for the management and care of the property for the support of the Episcopate of the Diocese of Long Island."

"An act to remove Genesee College, and to provide for the separation of its financial affairs from the Genesee Wesleyan Seminary."

"An act to incorporate the Prospect Park Hotel Company."

"An act in relation to the 'Homœopathic Medical College of the State of New York, in New York city.'"

"An act to define more particularly the powers of the Commissioners of the Land Office."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Warsaw, and to enlarge the powers of the corporation of said village,' passed March 17, 1860."

"An act to amend an act entitled 'An act to incorporate the Elmira Mechanics' Society,' passed May 26, 1836."

"An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church."

"An act in aid of the Boys' and Girls' Lodging House of the Children's Aid Society of the city of New York."

"An act relating to the county jail of the county of Broome, and the prisoners that shall be confined therein for crime."

"An act to amend an act entitled 'An act to enable lodges and chapters of Free and Accepted Masons to take, hold and convey real and personal estate,' passed April 2, 1860."

"An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles."

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864, as amended by subsequent acts."

"An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof."

"An act authorizing the common council of the city of Binghamton to raise an additional sum for highway purposes."

"An act to regulate and restrict the organization of savings banks and institutions for savings."

"An act to incorporate the village of Whitestone, in Queens county."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to incorporate the Eleventh Ward Savings Bank, in the city of New York."

"An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867."

Assembly, "An act to provide for the drainage of certain low lands in the town of Ira, in the county of Cayuga, and in the town of Hannibal, in the county of Oswego."

Assembly, "An act to amend an act entitled 'An act to enable the supervisor of the town of Martinsburgh, Lewis county, to convey land to enable trustees to hold, sell and convey lands for burial purposes, and to improve the same,' passed April 23, 1867."

"An act relative to writs of prohibition."

"An act authorizing the appointment of commissioners to locate a State penitentiary or industrial reformatory."

"An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837."

"An act to punish the issuing, procuring or use of fraudulent certificates of naturalization."

"An act to provide a place for the holding of the surrogate's courts and for the safe keeping of the records of the surrogate in the city of Hudson, Columbia county."

"An act for the relief of Jared T. Abernethy, and to authorize a tax on school district No. 6, of the towns of Madrid and Waddington, in the county of St. Lawrence, and the payment of the amount thereof to him."

Assembly, "An act to amend an act entitled 'An act for the appointment of an interpreter in the county of Kings,' passed May 2, 1864."

Assembly, "An act to incorporate the Working Women's National Association."

Assembly, "An act to legalize the proceedings of the annual town meeting of Whitestown, in the county of Oneida, held March 2, 1869, in reference to the purchase by said town of the Rome and Utica plankroad, and to provide means for the payment of the same."

Assembly, "An act to enable the town of Albion, Oswego county, to pay the bounties promised by that town to certain enlisted soldiers."

Assembly, "An act to relinquish the title of the State to certain lands in the town of Westfield, Chautauqua county, to Mary Ann Nundy."

Assembly, "An act in relation to the place of trial of certain offenses."

"An act to amend chapter 206 of the Laws of 1863, entitled 'An act in relation to evidence.'"

"An act to amend an act entitled 'An act to amend the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848, passed April 11, 1860.'"

Assembly, "An act to amend the charter of the Western Homœopathic Dispensary, in the city of New York."

Assembly, "An act to incorporate 'The Ogdensburgh Savings Bank.'"

Assembly, "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York."

Assembly, "An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of surrogates."

Assembly, "An act to change the name of the Mead Rubber Company to the Star Rubber Company."

Assembly, "An act to incorporate the Buffalo Turnverein."

Assembly, "An act to incorporate the 'Independent Turnverein,' in the city of Brooklyn."

Assembly, "An act to release the interest of the people of the State of New York of, in and to certain real estate situated in the town of Cortlandt and county of Westchester, to Frederick E. Dyckman."

Assembly, "An act to confirm the official acts of Robert James, an overseer of the poor of the town of Stenben, in the county of Oneida."

Assembly, "An act to provide for laying out, opening and grading certain public streets in the village of Flushing, Queens county."

"An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county,' passed May 19, 1868."

"An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24th, 1849."

"An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties."

"An act in relation to the village of Delhi."

Assembly, "An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight street, in the city of New York."

"An act to confirm the election of the trustees and officers of the village of Silver Creek and their acts."

Assembly, "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments, to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains."

"An act to authorize Forest Hill cemetery, in the village of Fredonia and county of Chautauqua, to acquire title to other lands, and to use their funds for that purpose."

Assembly, "An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of said city for certain purposes."

"An act to amend an act entitled 'An act to incorporate the Binghamton and Port Dickinson Railroad Company,' passed May 1, 1868."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to prevent the slaughtering of cattle south of Eighty-sixth street, in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act relative to lands devised by Thomas J. Lynch, deceased," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act for the relief of Mary Ann Millis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company,' passed April 17th, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act for the relief of the Brooklyn and Winfield Railway Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town in the counties of Otsego and Herkimer to issue bonds and take stock in said road," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act for the relief of the Fulton County Agricultural Society," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the bill entitled "An act to incorporate the Margarettsville Retreat for the Insane," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the official acts of certain town officers in the county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a 'Town and Soldiers' Memorial Hall,'" reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent the rules were suspended and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Peter Bergen and John P. Morris, trustees, for the passage of a bill enabling them to sell real estate devised by the last will of Simon Bergen, deceased, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Graham, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Security Savings Bank of Buffalo,' passed April 29, 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the Home Life Insurance Company, the certificate of the incorporation of which was filed April 28, 1860, under the provisions of an act entitled 'An act to provide for the incorporation of life and health insurance companies,' passed June 24, 1853, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer moved that the order of business of third reading of bills, and all orders down to resolutions, be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Chapman	Hubbard	Morris	Norton	Pierce	10
Creamer	Humphrey	Nicks	Palmer	Tweed	

FOR THE NEGATIVE.

Banks	Crowley	Graham	Nichols	Stanford	17
Beach	Edwards	Kennedy	O'Donnell	Thayer	
Bradley	Folger	Morgan	Parker	Williams	
Cauldwell	Genet				

Mr. Humphrey moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Nichols	O'Donnell	18
Beach	Edwards	Humphrey	Nicks	Stanford	
Bradley	Folger	Morgan	Norton	Williams	
Cauldwell	Genet	Morris			

FOR THE NEGATIVE.

Chapman	Hubbard	Palmer	Pierce	Tweed	9
Creamer	Kennedy	Parker	Thayer		

Whereupon the Senate adjourned.

THURSDAY, APRIL 15, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the German Savings Bank of the city of New York,' passed April 9, 1859,' passed March 4, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Stanford
Beach	Folger	Humphrey	Nicks	Van Petten
Bradley	Graham	Kennedy	O'Donnell	Williams
Creamer	Hale	Morgan	Pierce	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the American Popular Life Insurance Company to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Tweed
Beach	Graham	Kennedy	Nicks	Van Petten
Bradley	Hale	Mattoon	Parker	Williams
Edwards	Hubbard	Morgan	Pierce	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal the act passed April 17, 1862, providing for taking agricultural statistics in the several counties of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Nicks	Van Petten

Bradley	Hale	Mattoon	Parker	Williams	21
Edwards	Hubbard	Morgan			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the supervisor of the town of Woodhull, Steuben county, to issue bonds upon the credit of the town to the amount of four thousand dollars, for the purpose of erecting additional buildings for the use of the Woodhull academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Stanford	
Beach	Graham	Kennedy	Nicks	Tweed	
Bradley	Hale	Mattoon	Parker	Van Petten	
Edwards	Hubbard	Morgan	Pierce	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

"An act to prohibit the sale of adulterated articles of food, drink or medicine."

"An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county,' passed May 19, 1868."

"An act in relation to the Board of State Commissioners of Public Charities."

"An act to amend an act entitled 'An act to amend the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848, passed April 11, 1860.'"

"An act in relation to the village of Delhi."

"An act for the relief of Jared T. Abernethy, and to authorize a tax on school district No. 6, of the towns of Madrid and Waddington, in the county of St. Lawrence, and the payment of the amount thereof to him."

"An act to punish the issuing, procuring or use of fraudulent certificates of naturalization."

"An act relative to writs of prohibition."

"An act to amend an act entitled 'An act to incorporate the Binghamton and Port Dickinson Railroad Company,' passed May 1, 1868."

"An act authorizing cities and villages to acquire title to property for burial purposes, and to levy taxes for the payment of the same."

"An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867."

"An act authorizing the appointment of commissioners to locate a State penitentiary or industrial reformatory."

"An act to provide a place for the holding of the surrogate's courts and for the safe keeping of the records of the surrogate in the city of Hudson, Columbia county."

"An act to amend chapter 206 of the Laws of 1863, entitled 'An act in relation to evidence.'"

"An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24th, 1849."

"An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837."

The bill entitled "An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the alms house, and for the erection of a work house for said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Stanford
Beach	Graham	Mattoon	Palmer	Tweed
Bradley	Hale	Morgan	Parker	Van Petten
Creamer	Hubbard	Murphy	Pierce	Williams
Edwards	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act reappropriating a portion of the income of the United States Deposit Fund for the benefit of academies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Folger	Kennedy	Nicks	Stanford
Bradley	Graham	Morgan	O'Donnell	Van Petten
Creamer	Hale	Morris	Palmer	Williams
Crowley	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Board of State Commissioners of Public Charities," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	O'Donnell	Stanford
Beach	Folger	Kennedy	Palmer	Thayer
Bradley	Graham	Morgan	Parker	Van Petten
Creamer	Hubbard	Nicks	Pierce	Williams

20

FOR THE NEGATIVE.

Hale

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act providing for the appraisal and payment of the damages of the Seneca Nation of Indians caused by raising the banks of the feeder on the Oil Spring Reservation supplying water to the Gene-see Valley canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Pierce	
Beach	Folger	Humphrey	O'Donnell	Thayer	
Bradley	Graham	Morgan	Palmer	Van Petten	
Crowley	Hale	Nichols	Parker	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the claim of Henry I. Seymour for canal damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Pierce	
Beach	Genet	Humphrey	O'Donnell	Thayer	
Bradley	Graham	Mattoon	Palmer	Van Petten	
Creamer	Hale	Morgan	Parker	Williams	20

FOR THE NEGATIVE.

Folger Stanford

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care and control of the old burying ground in said village, adjoining the cemetery ground of said association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Palmer	Tweed	
Beach	Genet	Nichols	Pierce	Van Petten	
Bradley	Graham	Nicks	Thayer	Williams	
Chapman	Humphrey	O'Donnell			18

FOR THE NEGATIVE.

Folger Hale

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose," was read a third time.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Thayer
Beach	Genet	Morgan	Palmer	Tweed
Bradley	Graham	Morris	Pierce	Van Petten
Chapman	Humphrey	Murphy	Stanford	Williams
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to repeal chapter 648 of the Laws of 1868, entitled 'An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village,' passed May 6, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Beach	Folger	Humphrey	Nicks	Tweed
Bradley	Genet	Kennedy	O'Donnell	Van Petten
Chapman	Graham	Mattoon	Palmer	Williams
Creamer	Hale	Morgan	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill, entitled "An act authorizing cities and villages to acquire title to property for burial purposes, and to levy taxes for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Stanford
Beach	Edwards	Humphrey	Nichols	Tweed
Bradley	Genet	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	Pierce	Williams

20

FOR THE NEGATIVE.

Folger	Hale	O'Donnell	Thayer
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Pierce moved to take from the table the question agreeing to the report of the select committee of nine upon the Assembly bill entitled

"An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to report of the committee, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford	
Beach	Genet	Kennedy	Nicks	Thayer	
Bradley	Hale	Mattoon	Palmer	Van Petten	
Cauldwell	Hubbard	Morgan	Pierce		19

FOR THE NEGATIVE.

Chapman	Folger				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to prohibit the sale of adulterated articles of food, drink or medicine," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	O'Donnell	Thayer	
Bradley	Hale	Morgan	Palmer	Tweed	
Cauldwell	Humphrey	Nichols	Pierce	Van Petten	
Creamer	Kennedy	Nicks	Stanford	Williams	
Edwards					21

FOR THE NEGATIVE.

Folger					1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Palmer	Thayer	
Chapman	Hubbard	Morgan	Parker	Van Petten	
Crowley	Humphrey	Nicks	Stanford	Williams	
Folger	Kennedy	O'Donnell			18

FOR THE AFFIRMATIVE.

Bradley	Nichols	Tweed			3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Eleventh Ward Savings Bank in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Stanford
Bradley	Edwards	Hubbard	Morris	Thayer
Cauldwell	Genet	Humphrey	Palmer	Tweed
Chapman	Graham	Kennedy	Pierce	Van Petten 20

FOR THE NEGATIVE.

Morgan	Nichols	Nicks	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Cauldwell	Genet	Mattoon	O'Donnell	Thayer
Chapman	Graham	Morgan	Palmer	Tweed
Creamer	Hubbard	Morris	Parker	Van Petten 25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes,' passed February 17, 1848, passed April 11, 1860,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Parker
Bradley	Folger	Humphrey	Morris	Tweed
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	Palmer	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed
Creamer	Hubbard	Murphy	Parker	Van Petten

20

• FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Stanford	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the drainage of certain low lands in the town of Ira, in the county of Cayuga, and in the town of Hannibal, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Thayer
Beach	Creamer	Humphrey	Morris	Tweed
Bradley	Edwards	Kennedy	Nicks	Van Petten
Cauldwell	Folger	Mattoon	Palmer	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to enable the supervisor of the town of Martinsburgh, Lewis county, to convey land to enable trustees to hold, sell and convey lands for burial purposes, and to improve the same,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nichols	Stanford
Cauldwell	Genet	Morgan	Nicks	Thayer
Chapman	Hubbard	Morris	O'Donnell	Tweed
Creamer	Humphrey	Murphy	Palmer	Van Petten
Edwards	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act authorizing the appointment of commissioners to locate a State penitentiary or industrial reformatory," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	O'Donnell	Stanford
Bradley	Genet	Mattoon	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Creamer	Humphrey	Nichols	Pierce	Williams
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Beach	Folger	Humphrey	Murphy	Thayer
Bradley	Genet	Kennedy	Palmer	Tweed
Cauldwell	Hale	Mattoon	Parker	

19

FOR THE NEGATIVE.

Nichols

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to punish the issuing, procuring or use of fraudulent certificates of naturalization," having been announced for a third reading,

Mr. Creamer moved to recommit the same to the committee of the whole.

Mr. Parker moved to recommit said bill to the committee on the judiciary, with instructions to amend the title by adding, "and to allow foreigners to vote once and only once."

The President put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Murphy	Pierce	Williams
Crowley	Humphrey	Nichols		

28

FOR THE NEGATIVE.

Creamer

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide a place for the holding of the surrogate's courts and for the safe keeping of the records of the surrogate in the city of Hudson, Columbia county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Kennedy	Palmer	Thayer
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Williams moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to the agencies of such companies,' passed June 24th, 1853."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider the vote by which said bill was lost, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Graham	Morgan	Parker	Van Petten
Cauldwell	Humphrey	Murphy	Pierce	Williams

16

FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Nichols	Thayer
Folger	Hale	Morris	Norton	Tweed

10

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nicks	Van Petten
Bradley	Edwards	Morgan	Parker	Williams
Chapman	Humphrey	Murphy	Stanford	

14

FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Norton	Thayer
Cauldwell	Graham	Morris	Pierce	Tweed
Folger	Hale	Nichols		

13

The bill entitled "An act for the relief of Jared T. Abernethy, and to authorize a tax on school district No. 8, of the towns of Madrid and Waddington, in the county of St. Lawrence, and the payment of the amount thereof to him," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Stanford
Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Hale	Morgan	Parker	Tweed
Cauldwell	Humphrey	Morris	Pierce	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein

The Assembly bill entitled "An act to amend an act entitled 'An act for the appointment of an interpreter in the county of Kings,' passed May 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Stanford
Bradley	Genet	Murphy	Palmer	Thayer
Campbell	Graham	Nicks	Pierce	Van Petten
Cauldwell	Hale			

17

FOR THE NEGATIVE.

Chapman	Kennedy	Morris	Nichols	Williams
Folger				

6.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county,' passed May 19, 1868," having been announced for a third reading,

Mr. Pierce moved to recommit said bill to the committee on roads and bridges, with instructions to amend the same by adding as section 3, the following:

"§ 3. The expenses already incurred under the said act shall be deemed and taken as a portion of the expenses to be collected under the said act as hereby amended."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, reported back said bill amended, as instructed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Thayer

Campbell	Graham	Morgan	Palmer	Van Petten
Chapman	Hale	Morris	Parker	Williams
Edwards	Humphrey	Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Working Women's National Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Palmer
Bradley	Edwards	Kennedy	Nichols	Parker
Campbell	Folger	Mattoon	Norton	Thayer
Chapman	Hale	Morgan	O'Donnell	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the proceedings of the annual town meeting of Whitestown, in the county of Oneida, held March 2, 1869, in reference to the purchase by said town of the Rome and Utica plankroad, and to provide means for the payment of the same," having been announced for a third reading,

On motion of Mr. Campbell and by unanimous consent said bill was amended by adding the following as section 4:

"§ 4. When the purchase of the said road by said board of town officers shall have been made, the said town of Whitestown in its corporate capacity shall succeed to and enjoy all the rights, franchises and privileges of said plankroad company, and the said board of town officers, to wit: the supervisor, justice of the peace, and town clerk of said town, and their successors, shall comprise the board of directors of said plankroad company, and the supervisor of said town, and his successors, shall be the treasurer of said company, and the said board are hereby authorized to hold and operate said road, or to discontinue the same, whenever a majority of said board, at any regular meeting thereof, called for the purpose of considering matters in relation to said road, shall by vote determine to do so."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Campbell	Genet	Mattoon	Nicks	Pierce
Chapman	Graham	Morgan	O'Donnell	Thayer
Creamer	Hale	Morris	Palmer	Van Petten
Crowley	Hubbard			

22

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to enable the town of Albion, Oswego county, to pay the bounties promised by that town to certain enlisted soldiers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Pierce
Bradley	Genet	Mattoon	Norton	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Edwards	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 206 of the Laws of 1863, entitled 'An act in relation to evidence,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Nicks	Stanford
Bradley	Edwards	Kennedy	Palmer	Tweed
Campbell	Folger	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to relinquish the title of the State to certain lands in the town of Westfield, Chautauqua county, to Mary Ann Nundy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Pierce
Bradley	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Morgan	Norton	Thayer
Cauldwell	Genet	Morris	O'Donnell	Tweed
Chapman	Hale	Murphy	Parker	Van Petten
Creamer				

26

FOR THE NEGATIVE.

Williams	
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Binghamton and Port Dickinson Railroad Company,' passed May 1, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Mattoon	Norton	Thayer
Cauldwell	Genet	Morgan	Palmer	Van Petten
Chapman	Hale	Morris	Parker	Williams 25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the village of Delhi," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hale	Morris	Parker
Campbell	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Folger	Kennedy	Nicks	Tweed
Chapman	Genet	Morgan	Norton	Van Petten
Creamer				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the place of trial of certain offenses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morris	Palmer
Campbell	Edwards	Humphrey	Nicks	Stanford
Cauldwell	Folger	Kennedy	Norton	Tweed
Creamer	Hale	Morgan	O'Donnell	Van Petten 20

FOR THE NEGATIVE.

Chapman	Williams 2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the Western Homœopathic Dispensary, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Campbell	Genet	Mattoon	Nicks	Stanford
Cauldwell	Hale	Morgan	Norton	Thayer
Chapman	Humphrey	Morris	Palmer	Van Petten
Edwards	Kennedy	Nichols	Parker	Williams
Folger				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act relative to writs of prohibition," having been announced for a third reading,

Mr. Hale moved to recommit said bill to the committee on the judiciary, with instructions to strike out the word "practiced," in section 4, line 8, printed bill, and insert "non-enumerated."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate 'The Ogdensburgh Savings Bank,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Humphrey	Nichols	Stanford
Cauldwell	Graham	Kennedy	Nicks	Thayer
Creamer	Hale	Mattoon	Palmer	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams
Folger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to change the name of 'The Downs & Co. Manufacturing Company' of Seneca Falls, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Norton	Stanford
Cauldwell	Hubbard	Morris	O'Donnell	Thayer
Crowley	Kennedy	Nichols	Palmer	Tweed
Edwards	Mattoon	Nicks	Pierce	Van Petten
Folger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of Surrogates," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Mattoon	Palmer	Stanford
Cauldwell	Genet	Morgan	Parker	Tweed
Chapman	Hale	Nicks	Pierce	Van Petten
Creamer	Kennedy			

17

FOR THE NEGATIVE.

Edwards	Morris	O'Donnell	Thayer	Williams	
Hubbard	Nichols				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to change the name of the Mead Rubber Company to the Star Rubber Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hale	Nicks	Thayer	
Cauldwell	Folger	Hubbard	O'Donnell	Tweed	
Chapman	Genet	Kennedy	Pierce	Van Petten	
Creamer	Graham	Morgan			18

FOR THE NEGATIVE.

Mattoon	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Buffalo Turnverein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	O'Donnell	Stanford	
Cauldwell	Genet	Morgan	Parker	Thayer	
Chapman	Graham	Morris	Pierce	Tweed	
Edwards	Hubbard	Nichols			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'Independent Turnverein,' in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Hubbard	Morris	Thayer	
Cauldwell	Genet	Kennedy	Nicks	Tweed	
Chapman	Graham	Mattoon	Pierce	Van Petten	
Edwards	Hale	Morgan	Stanford		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the interest of the people of the State of New York of, in and to certain real estate situated in the town of Cortlandt and county of Westchester, to Frederick E. Dyckman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	Nicks	Thayer
Chapman	Graham	Morgan	O'Donnell	Tweed
Crowley	Hale	Morris	Pierce	Van Petten
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Edwards moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to exempt Gardinier's Island from assessment for highway labor."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Mattoon	Murphy	Pierce
Chapman	Hubbard	Morgan	Nichols	Tweed
Edwards	Humphrey	Morris	Nicks	Williams
Genet	Kennedy			

17

FOR THE AFFIRMATIVE.

Folger	Hale	O'Donnell	Stanford	Thayer
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5

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Humphrey	Murphy	Tweed
Cauldwell	Edwards	Kennedy	Nichols	Van Petten
Chapman	Genet	Morgan	Nicks	Williams
Creamer	Hubbard	Morris	Pierce	

19

FOR THE NEGATIVE.

Folger	Mattoon	Palmer	Stanford	Thayer
Hale	O'Donnell			

7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the official acts of Robert James, an overseer of the poor of the town of Steuben, in the county of Oneida," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	O'Donnell	Thayer
Chapman	Hale	Morgan	Palmer	Tweed
Creamer	Hubbard	Morris	Pierce	Van Petten
Edwards	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for laying out, opening and grading certain public streets in the village of Flushing, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morris	Palmer
Campbell	Edwards	Kennedy	Nichols	Pierce
Cauldwell	Folger	Mattoon	Nicks	Stanford
Chapman	Hale	Morgan	O'Donnell	Thayer

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight street, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce
Campbell	Folger	Mattoon	Nicks	Stanford
Cauldwell	Genet	Morgan	O'Donnell	Thayer
Chapman	Hale	Morris	Palmer	Van Petten
Crowley	Hubbard	Murphy		

23

FOR THE NEGATIVE.

Creamer	Williams
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments, to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morris	Palmer	Thayer
Cauldwell	Hale	Nichols	Parker	Van Petten
Chapman	Kennedy	Nicks	Pierce	Williams
Crowley	Morgan	O'Donnell	Stanford	19

FOR THE NEGATIVE.

Genet	Mattoon	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of said city for certain other purposes," having been announced for a third reading,

Mr. Morgan moved to recommit said bill to the committee on municipal affairs, with instruction to amend as follows, and report the same forthwith to the Senate:

"§ 4. The common council of the city of Rochester are hereby authorized and empowered, upon a vote therefor of two-thirds of the members elect of said council, to issue the bonds of said city, and certificates therefor, and to borrow money upon the same to an amount not exceeding fifty thousand dollars, payable in such manner and at such times as the said common council shall direct and determine; the said bonds to bear interest not exceeding seven per cent per annum, and to be issued for the purpose of constructing a new bridge across the Genesee river northwardly of the upper Genesee Falls, in said city; provided that said bonds shall not be sold or disposed of by said common council at less than par."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, reported back said bill to the Senate amended, pursuant to instructions of the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Palmer	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Genet	Nichols	Pierce	Van Petten
Chapman	Hale	Nicks	Stanford	Williams
Crowley	Humphrey	O'Donnell		23

FOR THE NEGATIVE.

Mattoon	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the town of Naples to raise eight thousand dollars by tax to build a 'Town and Soldiers' Memorial Hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten
Creamer	Humphrey	Nichols	Pierce	Williams
Crowley				

26

FOR THE NEGATIVE.

Edwards

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the construction of a railroad in certain streets and avenues in the city of New York," having been announced for a third reading,

Mr. Creamer moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Tweed
Beach	Edwards	Mattoon	Norton	Van Petten
Bradley	Genet	Morris	Pierce	Williams
Cauldwell	Hubbard	Murphy		

18

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Palmer	Stanford
Chapman	Hale	Nicks	Parker	Thayer
Crowley	Kennedy	O'Donnell		

13

Mr. Thayer presented seven petitions of citizens of Greenbush, for law to exempt said town from operation of Capital police district, which were read and referred to the committee on municipal affairs.

Also a petition of citizens of Troy, for increase of pay of Capital police force, which was read and referred to the committee on municipal affairs.

Mr. Banks presented a petition of citizens of Cohoes, upon same subject, which was read and referred to the committee on municipal affairs.

Mr. Folger presented a resolution and memorial of the German Conference Methodist Episcopal Church, against amendment of Excise law, which were read and referred to the committee of the whole.

Messrs. O'Donnell, Humphrey, Hale, and Parker presented remonstrances upon same subject, which were read and referred to the committee of the whole.

Mr. Morgan presented two petitions of citizens of Monroe county, for general bill bonding towns for railroad purposes, which were read and referred to the committee on railroads.

Mr. Norton presented a remonstrance against sale of markets in New York, which was read and referred to the committee on municipal affairs.

Mr. Murphy presented a petition of owners of land in Flatbush and Gravesend, for bill to lay out Coney Island boulevard, which was read and referred to the committee on municipal affairs.

Also a remonstrance upon same subject, which was read and referred to the committee on municipal affairs.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,' passed April 29, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon dissented from said report, and requested that the same be entered upon the journal.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act declaring the Great Chazy river a public highway, and for regulating the passage of logs and lumber down the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the town of Leicester, in the county of Livingston, to purchase additional land to enlarge their burying ground near the village of Moscow," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the regulation of public cemeteries in Saratoga county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from a majority of the committee on railroads, to which was referred the bill entitled "An act to amend 'An act to incorporate the New York City Central Underground railway, and to authorize said company to construct and operate a certain underground railway in the city of New York,' passed April 17, 1868," reported in favor of the passage of the same.

Mr. Genet moved that said bill be recommitted to the committee on railroads.

Mr. Morgan moved to amend, "that the committee be directed to report to-morrow morning."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nicks	Stanford
Campbell	Edwards	Humphrey	Norton	Thayer
Cauldwell	Folger	Murphy	O'Donnell	Van Petten
Chapman	Genet	Nichols	Palmer	Williams

20

FOR THE NEGATIVE.

Creamer Hubbard Tweed

3

The President then put the question whether the Senate would agree to said motion of Mr. Genet, as amended, and it was decided in the affirmative.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Flushing, Queens county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to divide the seventh judicial district of the city of New York, and to create a new judicial district therefrom," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger dissented from said report, and requested that the same be entered upon the journal.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to evidence in criminal prosecutions, and in all proceedings in the nature of criminal proceedings," reported the same to the Senate with amendments for its consideration, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from said report, which dissent was ordered entered on the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the directors of the Brooklyn Club to make by-laws and perform other acts," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend section 6 of an act entitled 'An act for the publication of session laws in two newspapers in each county of this State,' passed May 14th, 1845, passed April 27th, 1868," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act authorizing and requiring the removal of certain prisoners confined in the State prison of Sing Sing to the penitentiary of the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the Great Western Life Insurance Company of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act relative to the widening, straightening, laying out and opening of St. Ann's avenue and Carr avenue, in the town of Morrisania, in the county of Westchester," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens,' passed March 19, 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open and grade an avenue in the towns of Flatbush and New Utrecht, in continuation of Franklin avenue of Flatbush," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to establish a uniform width of tracks for vehicles using the public highways in the towns of East Hampton and Southampton, Suffolk county," reported that they have made some amendments thereto, and amended the title by striking out "East Hampton," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimball to construct tramways on their turnpike road and to straighten and increase the width of the same and to fix the tolls thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the laying out and opening of a highway in the village of Huntington, in the town of Huntington, Suffolk county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Bethlehem, Albany county, to lay out a highway two rods in width in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the construction and maintenance of a bridge over the Tioughnioga river, in the town of Cuyler, Cortland county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the construction of a road and bridge across Huntington Harbor, in the town of Huntington and the county of Suffolk," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Nicks, from a majority of the committee on roads and bridges, to which was referred the Assembly bill entitled "An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Beach dissented from said report, and requested that the same be entered upon the journal.

Mr. O'Donnell, from a majority of the committee on finance, to which

was referred the Assembly bill entitled "An act to enable the Comptroller to pay the amount awarded to Charles Weiss, in accordance with chapter 626 of the Laws of 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act in aid of the City Orphan Home of the New York Juvenile Guardian Society, and the support of said Home and of the industrial schools of said society," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to authorize the payment of certain moneys into the treasury of the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to unite and protect ancient burying grounds, establish a rural cemetery and a free burying ground in the town of New Lebanon, Columbia county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of the State of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the corporate name of the First Baptist Church and Society of Hamden and East Walton to the 'First Baptist Church and Society of Walton,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to empower Poughkeepsie Lodge No. 21, of the Independent Order of Odd Fellows of the State of New York, in the city of Poughkeepsie and county of Dutchess, to hold and convey real and personal estate and constitute the same a corporation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the levying of a tax upon the town of Gouverneur, in the county of St. Lawrence, for the benefit of the Gouverneur Wesleyan Seminary, and to increase the capital stock of said Seminary," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the name of the Wesleyan Methodist Episcopal Zion Church Society of the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Beach, from the select committee of nine, reported the following entitled bills complete:

"An act in relation to the Brooklyn City and Newtown Railroad Company."

"An act to incorporate the Brooklyn Young Men's Christian Association."

Assembly, "An act in addition to the 'Act to amend the charter of the city of Newburgh,' passed February 27, 1869."

Assembly, "An act to amend an act incorporating the village of Phoenix, in the county of Oswego."

Assembly, "An act to amend 'An act to incorporate the village of Rushville,' passed April 24, 1866."

Assembly, "An act to incorporate the Trustees of the Wadsworth Library."

Assembly, "An act 'To establish free schools in district No. 5, in the town of Flushing,' passed March 10, 1848."

"An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county."

Assembly, "An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon depot turnpike road."

Assembly, "An act in relation to plank roads and turnpike roads."

Assembly, "An act in relation to the Coeymans and Westerlo Plank road, the Union Turnpike road and the Westerlo Turnpike road, in the county of Albany."

"An act to legalize the acts and proceedings of Elias W. Payne, as justice of the peace of the town of Shelter Island, county of Suffolk."

"An act to incorporate the Waddington Agricultural Society."

Assembly, "An act to amend an act entitled 'An act to establish a free school in district No. 5, town of Oyster Bay, Queens county,' passed April 15, 1857."

Assembly "An act to provide for the rebuilding of the bridge over that part of the Seneca river not used for canal purposes, between the towns of Lysander and Salina, in Onondaga county."

"An act to amend section 1 of chapter 182 of the Laws of 1846, in relation to the recording of wills."

"An act to provide for the auditing and payment of the claim of Francis Hubbard, late of Hopkinton, St. Lawrence county, deceased."

"An act to incorporate the City Safe Deposit Company of Brooklyn."

"An act in relation to 'The Baptist Church in Clyde,' at Clyde, in the county of Wayne."

"An act to incorporate the Americus 6 Association of the city of New York."

"An act for the relief of Eliza McBrair Sanderson and others."

"An act to authorize the trustees of the Seamen's Fund and Retreat to lease a portion of the lands belonging to said retreat."

"An act to authorize the mortgaging of real estate of certain societies and corporations."

"An act relative to lands devised by Thomas O'Brien, deceased."

Assembly, "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock."

Assembly, "An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock."

"An act to incorporate the fire department of the city of Binghamton."

"An act relative to the board of revision and correction of assessments in the city of New York."

"An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one muni-

cial government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof or relating to the city of Brooklyn."

"An act to authorize the erection and maintenance of an observatory in the city of New York."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The President presented a communication from the Regents of the University, in reply to a resolution of the Senate relative to the historical collection of Dr. Hall, which was laid on the table and ordered printed.

(See Doc. No. 77.)

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the general city tax to be raised in the city of Buffalo for the year 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to make provision for the government of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley moved that said bill be made the special order for Tuesday next, immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate asking for the return of the Assembly bill entitled "An act to authorize the construction of certain railroads in the city and county of New York and across the Harlem river," for the purpose of amendment.

Mr. Van Petten moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly also sent for concurrence a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate requesting that the several petitions of the citizens of Greenwich street and Ninth avenue, in the city of New York, praying a repeal of the charter of the Elevated Railway be transmitted to this House, and that the same when received be referred to the committee on railroads.

Ordered, That the Clerk transmit said papers to the Assembly.

Mr. Humphrey, from a majority of the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to repeal chapter 969 of the Laws of 1867, in relation to the inspection of steam-boilers in the State of New York, except in the Metropolitan Police district," reported adversely thereto.

Mr. Humphrey moved to disagree with the report of the committee, and to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Nicks	Stanford
Chapman	Humphrey	Morris	O'Donnell	Van Petten
Crowley	Kennedy	Nichols	Parker	Williams
Folger				

16

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Palmer	Thayer
Beach	Edwards	Norton	Pierce	Tweed
Bradley	Genet			

12

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act for the removal of the wall benches in the Erie canal, in the city of Utica, and for the construction of a vertical wall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to authorize the board of education of Rhinebeck union free school district No. 5 to borrow money to build a school house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act relative to common schools in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Buffalo to construct a bridge across Buffalo river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the construction of an iron bridge over the Genesee Valley canal, in the village of Mount Morris," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly sent for concurrence the bills entitled as follows :

"An act to incorporate 'The Literary Society of St. Vincent Ferrer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 15, 1850, and other acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to construct a highway from St. Regis lake to Malone," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the employment of a stenographer for the county court and court of sessions in and for the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the appraisal and payment of canal damages to James O'Brien caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to release the interest of the people of the State of New York in certain escheated lands to Margaret Jhobes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing Henry E. Ripley, substituted trustee under the will of Sarah Maybee, late of Queens county, deceased, or such other trustees as may be appointed by the Supreme Court, to sell the trust estate upon the application of Garret M. Maybee and Lydia Maybee, his wife, and the descendants of Garret M. Maybee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Abingdon Square Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act authorizing the town of Leicester, in the county of Livingston, to purchase additional land to enlarge their burying ground near the village of Moscow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to enable James McNierney, of New York city, to take and hold real estate, and to remove the disability of his alleged alienage, and to confirm certain conveyances to him which are claimed to be void because of alienage, and to release the claims of the people of this State to him," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the Fulton and Montgomery County Farmers' Mutual Fire Insurance Association,' passed April 13th, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to encourage the planting of shade trees along the sides of public highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the 'Father Matthew United Benevolent Total Abstinence Benefit Society,' No. 3, in the village of Mount Vernon, in the county of Westchester and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the commissioners of highways of the town of

Scio, in the county of Allegany, to enter upon lands adjacent to highways, in said town of Scio, for the purpose of fortifying to protect the roads and bridges in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to establish an asylum for orphan, friendless and illegitimate children of German origin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas in and for the city and county of New York, and fixing the compensation of the deputy and assistant record clerk in said office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act for the regulation of public cemeteries in Saratoga county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to legalize certain acts of Richard F. Hall, John A. Russell and George B. Mosher, in the village of West Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act passed April 13, 1860, entitled 'An act to encourage the construction of sidewalks in the village of Unadilla, Otsego county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the village of Galway, in the county of Saratoga,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Steam Stone-cutter Company to dispose of its property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of David Harvey," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act regulating appeals from surrogates' decrees or orders for payment or distribution of trust funds or moneys," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Adam W. Smith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to incorporate 'The Harlem River and Port Chester Railroad Company,' and giving them the power to consolidate with certain other railroad companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to lay out, construct and maintain a public road from the foot of East Second street, in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county,' passed May 1, 1868, and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the construction of an iron bridge over the Erie canal feeder, at the junction of Cedar and Maine streets, in the village of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act relating to certain non-resident highway taxes in Franklin county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend section 53 of title 4, chapter 6 of the second part of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Lewis Meeker and George L. Dudley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens,' passed April 29, 1868, and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to enable agricultural and horticultural societies to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose,' passed March 7, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rodey Carey, caused by the waters of the Champlain canal flowing over and running through the tow-path of said canal in the town of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend section 1 of chapter 321 of the Laws of 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to incorporate the Young Men's Lyceum of the village of Tar-

rytown, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to provide for the appraisal and payment of damages to Enoch B. Armstrong, Henry Patrick and others, alleged to have been caused by the discharge of water from the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act authorizing the repaving and improvement of Cumberland street, from Myrtle avenue to Atlantic avenue, in the city of Brooklyn, and for the assessment and collection of the cost thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to change the name of the Oneida Conference seminary, and to enlarge the powers of the trustees thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act for the improvement of the navigation of the De Grasse river,' passed April 22, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to incorporate the village of Tottenville, in the town of Westfield, county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to provide for the due apportionment of taxes and assessments, and for the sale of real estate to pay the same,' passed April 12, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the village of Morrisville to raise money for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the commissioners of highways of the town of Brasher, in the county of St. Lawrence, to borrow money to build a bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the appraisal and payment of damages sustained by Peter Phillips," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend chapter 287 of the Laws of 1853, and to modify and define the duties of the commissioners elected under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Franklin Literary Society of Brooklyn,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Bradley moved to take from the table the resolution from the Assembly requesting the Senate to return to that body the Assembly bill entitled "An act to authorize the construction of certain railroads in the city and county of New York and across the Harlem river."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	O'Donnell
Bradley	Genet	Humphrey	Nichols	Pierce
Cauldwell	Hale	Morris	Norton	Tweed
Creamer				

16

FOR THE NEGATIVE.

Chapman	Morgan	Palmer	Stanford	Williams
Folger	Nicks	Parker	Thayer	

9

Mr. Genet moved that the resolution be complied with.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Pierce
Bradley	Creamer	Humphrey	Nichols	Stanford
Campbell	Edwards	Kennedy	Norton	Tweed
Cauldwell	Hale			

17

FOR THE NEGATIVE.

Folger	O'Donnell	Parker	Thayer	Williams
Morgan	Palmer			

7

Ordered, That the Clerk return said bill to the Assembly.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Folger	Kennedy	O'Donnell
Beach	Crowley	Genet	Norton	Parker
Bradley	Edwards	Hale		

13

FOR THE NEGATIVE.

Chapman	Morgan	Nicks	Stanford	Tweed
Creamer	Morris	Palmer	Thayer	Williams
Hubbard	Nichols	Pierce		

13

After debate,

Mr. O'Donnell moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Edwards	Genet	O'Donnell
Beach	Crowley	Folger	Hale	Parker

10

FOR THE NEGATIVE.

Bradley	Hubbard	Morris	Palmer	Thayer
Cauldwell	Humphrey	Nichols	Pierce	Tweed

Chapman	Kennedy	Nicks	Stanford	Williams	
Creamer	Morgan	Norton			18

On motion of Mr. Chapman the Senate went into executive session for the confirmation of notaries only, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Nichols offered the following:

Resolved, (if the Assembly concur,) That there be added to the 13th standing rule of the joint rules of the Senate and Assembly, at the end thereof, the following words, viz: Whenever extra copies of any document shall be ordered printed, the printer shall be authorized and required to deliver to the Trustees of the State Library at least five copies in addition to the number so ordered, for the use of the said library; and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred, for the purpose of literary exchanges.

Ordered, That said resolution be laid on the table.

Mr. Norton moved that bills on the preferred calendar be made a special order to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Genet, the Senate adjourned.

FRIDAY, APRIL 16, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act supplementary to chapter 29 of the Laws of 1865, in relation to the payments of bounties."

"An act to confirm the election of trustees and officers of the village of Silver Creek and their acts."

"An act in relation to the Brooklyn City and Newtown Railroad Company."

"An act in relation to making and repairing highways and bridges in the towns of Flatbush and New Utrecht, in Kings county."

"An act to incorporate the Americus 6 Association of the city of New York."

"An act for the relief of Eliza McBrair Sanderson and others."

"An act to amend section 1 of chapter 182 of the Laws of 1846, in relation to the recording of wills."

"An act to authorize the trustees of the Seamen's Fund and Retreat to lease a portion of the lands belonging to said Retreat."

"An act to legalize the acts and proceedings of Elias W. Payne, as justice of the peace of the town of Shelter Island, county of Suffolk."

"An act to authorize the erection and maintenance of an observatory in the city of New York."

"An act to incorporate the Waddington Agricultural Society."

"An act in relation to 'The Baptist Church in Clyde,' at Clyde, in the county of Wayne."

"An act to provide for the auditing and payment of the claim of Francis Hubbard, late of Hopkinton, St. Lawrence county, deceased."

"An act to authorize Forest Hill cemetery, in the village of Fredonia and county of Chautauqua, to acquire title to other lands, and to use their funds for that purpose."

"An act to incorporate the City Safe Deposit Company of Brooklyn."

"An act to incorporate the Brooklyn Young Men's Christian Association."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Trustees of the Wadsworth Library," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	O'Donnell
Beach	Graham	Mattoon	Nichols	Palmer
Campbell	Hubbard	Morgan	Nicks	Stanford
Edwards	Humphrey	Morris		

18

FOR THE NEGATIVE.

Hale	Van Petten
------	------------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the Forest Hill cemetery, in the village of Fredonia and county of Chautauqua, to acquire title to other lands, and to use their funds for that purpose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Parker
Beach	Hale	Mattoon	Nicks	Stanford
Campbell	Hubbard	Morgan	O'Donnell	Thayer
Crowley	Humphrey	Morris	Palmer	Van Petten
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morgan	Thayer
Beach	Creamer	Humphrey	Morris	Tweed

Bradley Campbell	Edwards Graham	Kennedy Mattoon	Murphy Nichols	Van Petten	19
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FOR THE NEGATIVE.

Crowley	Folger	Hale	Nicks	Williams	5
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Mr. Folger moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Morgan	O'Donnell	Thayer	
Crowley	Mattoon	Nicks	Parker	Van Petten	
Folger					11

FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Pierce	
Beach	Edwards	Hubbard	Murphy	Tweed	
Bradley	Graham	Humphrey	Nichols		14

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the election of the trustees and officers of the village of Silver Creek and their acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer	
Campbell	Folger	Kennedy	O'Donnell	Tweed	
Caldwell	Graham	Mattoon	Parker	Van Petten	
Creamer	Hale	Morris	Pierce	Williams	
Crowley	Hubbard	Nichols			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Brooklyn City and Newtown Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Morris	Parker	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Campbell	Folger	Humphrey	Nicks	Tweed	
Caldwell	Graham	Kennedy	O'Donnell	Van Petten	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in addition to the act entitled 'An act to amend the charter of the city of Newburgh,' passed February 27, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Mattoon	Stanford
Beach	Edwards	Hubbard	O'Donnell	Thayer
Bradley	Folger	Humphrey	Parker	Tweed
Campbell	Graham	Kennedy	Pierce	Van Petten 20

FOR THE NEGATIVE.

Williams 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Brooklyn Young Men's Christian Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed
Bradley	Folger	Mattoon	Parker	Van Petten
Campbell	Graham	Morris	Pierce	Williams
Cauldwell	Hubbard	Murphy		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the auditing and payment of the claim of Francis Hubbard, late of Hopkinton, St. Lawrence county, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Murphy	Thayer
Beach	Edwards	Kennedy	Nichols	Tweed
Bradley	Folger	Mattoon	Parker	Van Petten
Campbell	Graham	Morgan	Pierce	Williams
Cauldwell	Hubbard	Morris	Stanford	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act incorporating the village of Phoenix, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Thayer
Beach	Edwards	Kennedy	Parker	Tweed
Bradley	Folger	Mattoon	Pierce	Van Petten
Campbell	Graham	Morgan	Stanford	Williams
Creamer	Hubbard	Morris		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend 'An act to incorporate the village of Rushville,' passed April 24, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	O'Donnell	Thayer
Beach	Crowley	Hubbard	Parker	Tweed
Bradley	Edwards	Humphrey	Pierce	Van Petten
Campbell	Folger	Mattoon	Stanford	Williams
Cauldwell	Graham	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act 'to establish free schools in district No. 5 in the town of Flushing,' passed March 10, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Thayer
Beach	Edwards	Humphrey	O'Donnell	Tweed
Bradley	Folger	Mattoon	Parker	Van Petten
Campbell	Hale	Morris	Stanford	Williams
Cauldwell				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	O'Donnell	Thayer
Beach	Folger	Morris	Parker	Tweed
Bradley	Graham	Murphy	Pierce	Van Petten
Campbell	Humphrey	Nichols	Stanford	Williams
Creamer	Mattoon			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the assessment of highway labor upon the Jeffersonville and Callicoon Depot Turnpike road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Thayer
Campbell	Folger	Kennedy	O'Donnell	Tweed
Creamer	Graham	Morgan	Parker	Van Petten
Crowley	Hale	Morris	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to legalize the acts and proceedings of Elias W. Payne, as justice of the peace of the town of Shelter Island, county of Suffolk," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Stanford
Beach	Edwards	Kennedy	O'Donnell	Thayer
Bradley	Folger	Mattoon	Parker	Van Petten
Campbell	Graham	Morris	Pierce	Williams

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Waddington Agricultural Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Beach	Graham	Mattoon	O'Donnell	Tweed
Bradley	Hale	Morgan	Parker	Van Petten
Campbell	Humphrey	Morris	Stanford	Williams

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to plank roads and turn-pike roads," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morgan	Stanford
Beach	Creamer	Hale	Nichols	Thayer
Bradley	Edwards	Humphrey	O'Donnell	Van Petten
Campbell	Folger	Mattoon	Parker	

19

FOR THE NEGATIVE.

Morris Murphy

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to establish a free school in district No. 5, town of Oyster Bay, Queens county,' passed April 15, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Murphy	Thayer
Bradley	Folger	Mattoon	O'Donnell	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Creamer	Hale	Morris	Stanford	Williams
Crowley	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Coeymans and Westerlo Plank road, the Union Turnpike road and the Westerlo Turnpike road, in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Thayer
Beach	Graham	Morgan	Parker	Tweed
Bradley	Hale	Morris	Pierce	Van Petten
Campbell	Kennedy	Nichols	Stanford	Williams
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend section 1 of chapter 182 of Laws of 1846, in relation to the recording of wills," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Stanford
Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Graham	Morgan	Parker	Tweed
Campbell	Hale	Morris	Pierce	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the City Safe Deposit Company of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Tayer
Beach	Edwards	Kennedy	Nichols	Tweed
Bradley	Folger	Mattoon	Pierce	Van Petten
Campbell	Graham	Morgan	Stanford	Williams
Chapman	Hale	Morris		

23

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from His Excellency the Governor was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 16, 1869.

To the Senate: I return, without my signature, Senate bill No. 121, entitled "An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby."

In my annual message, in referring to the condition of the State, the burdens resting upon the people, and what they would expect and demand of their representatives, I thought it proper to say as follows :

"While in all public affairs a reasonable liberality is to be encouraged, extravagance and waste will be condemned. A large amount of invested capital has been declared by Congress exempt from the taxation which now oppresses nearly every interest in the country. Those who bear no portion of the public burdens will never be active in opposing their increase. Some will be always ready to favor projects involving great outlays of public moneys in enterprises of real or supposed merit, but the great body of the people will not sanction any expenditures or appropriations, the necessity of which is not clearly apparent."

In considering any bill which appropriates money from the State Treasury to aid private capital in constructing new railroads, my duty to the people at large requires that I should not overlook the facts that we are in the midst of a period of great speculation; that we are under the influence, to some extent, of depreciated and inflated currency, one of the invariable effects of which is to create an activity more or less feverish, under the stimulus of which men are not likely to discriminate carefully between legitimate enterprises and speculative projects. When this is over, and we return to a sound currency and a more healthy condition, we will estimate more justly the heavy burdens of taxation resting upon us, and will witness a diminution of the profits which some undertakings now earn, and of the promise of profits in others.

I fully comprehend what great benefits may be realized from wisely projected and economically constructed railroads, as well by the State at large as by the localities through which they pass. I would be glad to see their construction pushed forward with energy whenever there is need of them. I should rejoice in seeing the people of the State assist all such enterprises whenever it was apparent that the general interests of the State would be promoted by their success or injuriously affected

by their failure. There are, I know, some portions of our territory full of undeveloped riches and yet so sparsely settled that individual energy and home capital are wholly inadequate of themselves to open avenues of transit and communication to and through them, or even to contribute so much towards local improvements as to inspire capitalists elsewhere with that confidence which would lead them to come to their aid. To open such regions to active traffic, to bring them into nearer connection with our great markets, to give to them facilities for communication and transportation which other more favored portions of the State enjoy, may often be so important to the whole State and be so well calculated to add largely to its material and general prosperity as to justify at times and under proper restrictions, the granting of some aid from the Treasury of the State. While, however, it may be wise sometimes to grant this aid to enterprises simply because of their great merit and their great need, the money of the people should never be used to foster and encourage a spirit of speculation, or enterprises which may possibly have their origin in it. Even in cases of great merit, there is one difficulty which suggests hesitation, and that is that a contribution from the State Treasury, in one instance, becomes a precedent for many others. Meritorious projects and those purely speculative become linked together and alike appeal to this precedent, with equal confidence, and too often, in the present condition of financial affairs and legislative temper, with equal chances of success. Every new railroad corporation thinks it has a right to some portion of the public money, and sends its friends to the Legislature, intent on securing means from the public Treasury, which receives its supply from the contributions of the heavy-burdened taxpayers of the State.

As a general rule, the sagacity of private capital will be quick to see where railroads are needed, where they can be made to pay, and where they will add to the public wealth. It is hardly possible for the Legislature or an Executive to decide these points so well as can be done by the keen sagacity, the willing enterprise, and the careful scrutiny of private capitalists.

General laws have been passed for the incorporation of railroad companies. Liberal facilities are already extended (whether always wisely or not I need not here discuss) to the people in cities, villages and towns, by the issue of their corporate bonds, to associate their corporate responsibility with individual capital, to construct their railroads. Under these circumstances, it seems to me that almost any meritorious enterprise can succeed without State aid, and that such aid should only be granted, if at all, when the necessity is clearly apparent, and when the well-being of the State at large demands it.

The aggregate appropriations proposed to be made from the State Treasury to railroad corporations, by bills introduced at the present session, is over four and a quarter million of dollars, as will appear by the following statement:

Whitehall and Plattsburgh,.....	Senate bill 121.....	\$365,000
Albany and Susquehanna,.....	Ass'y " 26.....	100,000
Ithaca and Tonawanda,.....	" " 665.....	150,000
Port Jervis and Monticello,	" " 666.....	100,000
Buffalo and Washington,.....	" " 667.....	250,000
Buffalo, Corning and Pittsburgh,....	" " 668.....	250,000
Northern Air Line,.....	" " 669.....	175,000

New York Northern,	Ass'y bill	670.....	\$600,000
Gloversville, Mayfield and Northville,	" "	672.....	150,000
Lake Shore,	" "	673.....	700,000
Southern Central.....	" "	674.....	400,000
New York and Oswego,	" "	675.....	600,000
Fonda, Johnstown and Gloversville, .	" "	676.....	75,000
Erie Valley and Genesee,	" "	742.....	125,000
Wallkill Valley,.....	" "	744.....	128,000
Rondout and Oswego,	" "	747.....	150,000

\$4,315,000

Most of these bills have progressed so far as to indicate clearly that the friends of one rely, for success, upon the aid and co-operation of the friends of the others.

The whole amount of taxes levied by the State for schools, canals, bounty debts, railroads and general purposes in 1868, was \$10,343,317.01, being five and four-fifth mills upon the assessed valuation of property. The amount of State aid proposed by the bills above referred to, viz: \$4,315,000, is more than two-fifths of the whole State tax of 1868. If a tax were imposed in any single year to provide for this aggregate of State aid, it would make the State tax eight and one-fifth mills, instead of five and four-fifths as in 1868. This bill provides for extending the tax over two succeeding years, which same provision will no doubt be adopted in the other bills. In such case the tax would be increased to seven mills for two successive years.

These figures may well excite alarm. If this bill be successful, it will be likely to be regarded as a precedent and to lead to the success of most, if not all, of the others, and thus to subject the Treasury to an expenditure of nearly \$4,000,000 more, distributed among enterprises of similar character, whatever may be their respective degrees of merit.

It is a fact as apparent as it is deplorable, that whenever heavy demands are made upon the public Treasury for other than the ordinary expenditures of the State Government, influences are at work in and around the Capitol, to secure their success, which are not calculated to promote an impartial exercise of the legislative power; and it may be predicted with almost absolute certainty, if these present applications are successful, that at some future day, and that not far distant, a portion of the very money now drawn from the Treasury of the State will be used as means to secure renewed and increased appropriations for like purposes.

It is confidently alleged that the people of the State will and do approve of these enormous appropriations, and are willing to have imposed upon them these new burdens for the sake of aiding enterprises, the direct profits of which will inure to the benefit of private capitalists. I do not believe it. But even if it were so, I am confident that hereafter, when the feverish period of speculation shall have passed away, and a sounder public sentiment shall prevail, they would, if I sanctioned the legislation to which I now object, hold me accountable and responsible for failing to protect them against great expenditures, in regard to which the probability of waste and extravagance is much greater than the possibility of prudence and discrimination.

It must be remembered that under the Constitution, it is in the power of the Legislature to submit to the people of the State the question

whether they are willing to aid these enterprises by the creation of a State debt. Such a mode of coming to their relief would admit of a larger grant of money and a more systematic and equitable application of it to the different sections of the State. The taxation required to meet the outlay could be extended over a period of eighteen years, instead of being forced upon one or two. The fact that no such measure has been brought forward during the time the State aid policy has been pressed, is strong evidence that the advocates of that policy believe that the people at large would not approve of it. If this be so, the people would certainly resent a proposition to collect at once, and without asking their approval, the large sum now proposed to be levied upon them.

For the reasons, therefore, that it is not easy to discriminate so clearly between this measure and those of a similar character now pending and perhaps awaiting the decision of this one, as to make this an exception; that it presents a question of general policy in granting money from the State Treasury to aid in the construction of local railroads, when the burdens of taxation are too great to admit of the heavy addition which the adoption of the policy would entail; that the Constitution provides a wise and just method by which the people of the State can take upon themselves the decision of the question, under which the tax can be graduated according to the magnitude of the improvement to which aid is given; that the measure may be deferred without prejudice to its future consideration at a period when the affairs of the State and country will be in a more permanent condition, when taxation will only be required for current necessities, and when it is hoped a settled prosperity shall be established; I am constrained, without expressing any opinion upon the merits of the Whitehall and Plattsburgh railroad, except to admit most freely that the region through which the road will run has very strong claims upon the consideration and sympathy of the whole State, and that the construction of a railroad through it would contribute very greatly to the general wealth and prosperity, to return the bill without my signature.

JOHN T. HOFFMAN.

Mr. Hale moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morris	O'Donnell	Thayer
Bradley	Hale	Murphy	Palmer	Tweed
Cauldwell	Kennedy	Nichols	Parker	Van Petten
Creamer	Mattoon	Nicks	Pierce	Williams
Folger	Morgan	Norton		

23

FOR THE NEGATIVE.

Campbell	Chapman	Crowley	Edwards	Humphrey	5
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The bill entitled "An act in relation to the Baptist Church in Clyde," at Clyde, in the county of Wayne," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	O'Donnell	Thayer
Bradley	Edwards	Morgan	Palmer	Tweed

Campbell	Hale	Nicks	Pierce	Van Petten	
Cauldwell	Kennedy	Norton	Stanford	Williams	20

FOR THE NEGATIVE.

Folger	Morris				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Americus 6 Association of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Stanford	
Bradley	Crowley	Kennedy	O'Donnell	Thayer	
Campbell	Edwards	Morgan	Parker	Tweed	
Cauldwell	Folger	Morris	Pierce	Van Petten	
Chapman	Genet	Nicks			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Eliza McBrair Sanderson and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford	
Bradley	Folger	Morgan	Norton	Thayer	
Campbell	Genet	Morris	Parker	Van Petten	
Cauldwell	Hale	Nichols	Pierce	Williams	
Creamer	Kennedy				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the erection and maintenance of an observatory in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Hale	Morris	Parker	Thayer	
Cauldwell	Kennedy	Nichols	Pierce	Van Petten	
Creamer	Mattoon	Nicks	Stanford	Williams	
Edwards	Morgan	Norton			18

FOR THE NEGATIVE.

Bradley	Folger				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the Seamen's Fund and Retreat to lease a portion of the lands belonging to said Retreat," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Pierce
Bradley	Edwards	Mattoon	Nicks	Thayer
Campbell	Genet	Morgan	Norton	Van Petten
Cauldwell	Humphrey	Morris	Parker	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the 'Capital Co-operative Foundry Company' of Albany to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Stanford
Bradley	Folger	Kennedy	Nichols	Thayer
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Hale	Morgan	Parker	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Stanford
Bradley	Folger	Kennedy	Nichols	Thayer
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Hale	Morgan	Parker	Williams
Creamer				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the rebuilding of the bridge over that part of the Seneca river not used for canal purposes, between the towns of Lysander and Salina, in Onondaga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Stanford
Campbell	Folger	Morgan	Nicks	Thayer
Cauldwell	Genet	Morris	Norton	Van Petten

Cramer
Conley

Kennedy

Murray

Parker

Williams

21

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Banks moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act authorizing and requiring the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill having been announced for a third reading.

Mr. Folger moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to amend the charter of the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,' passed April 17, 1863," with a message that they had passed the same with the following amendments:

Strike out all after the title and insert the following:

"Whereas, by the authority conferred on the directors of the Rochester Waterworks Company, by section 2 of chapter 140, Laws of 1863, the Rochester Waterworks Company did, on the 8th day of April, 1867, borrow, on the credit of said company, the sum of \$400,000, and did also execute, in the name of said company, bonds therefor, and to secure the same did also execute a mortgage upon the property of said company, and which said bonds have all been negotiated and are now a lien on said property. And, whereas, the moneys so raised have been insufficient to complete said works, and in consequence thereof no revenue is derived therefrom to the great detriment of said bondholders. Now, therefore,

"The People of the State of New York, represented in Senate and Assembly, do enact as follows:

"SECTION 1. The amount which the directors of the Rochester Waterworks Company are authorized to borrow, by section two of the act entitled "An act to amend the charter of the Rochester Waterworks Company, and to authorize said company to borrow money and to secure the payment thereof by bond and mortgage," passed April 17th, 1863, is hereby increased to \$800,000. Said sum may be borrowed for a term not less than fifteen years, at a rate of interest not exceeding seven per cent, and payable at such times and places as the said company appoint, and to cause to be executed in the name of said company bonds therefor, with interest warrants attached under the seal of said corporation, and with the signatures of the president and secretary of said company or such other officer of the corporation as the directors may designate. Such bonds may be in such form and for such sums as the directors may deem expedient, and may be secured by mortgage, executed as provided for in said act, hereby amended.

"§ 2. The directors of said company may dispose of said bonds as follows: Four hundred thousand dollars thereof shall be issued to redeem

the present outstanding bonds of the company for a like amount, if the holders thereof shall consent thereto. Such bonds so redeemed shall be immediately canceled and destroyed, so that at no time shall the amount of said mortgage debt exceed the sum \$800,000, exclusive of the interest thereon, and any mortgage executed by virtue hereof shall be a lien only for such bonds as may be issued in conformity with this act. The balance of said bonds may be disposed of as provided for in section four of the said act of April 17, 1863."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Pierce
Bradley	Genet	Morris	O'Donnell	Stanford
Campbell	Humphrey	Nichols	Palmer	Thayer
Cauldwell	Mattoon	Nicks	Parker	Van Petten
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills upon the preferred calendar, entitled as follows:

Assembly, "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad.'"

Assembly, "An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company."

"An act to amend chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railway Companies.'"

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered to a third reading.

Mr. Stanford, from the same committee, reported in favor of the passage of the last named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railway Companies.'"

On motion of Mr. Tweed and by unanimous consent the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Humphrey	Nicks	Stanford
Cauldwell	Graham	Mattoon	Norton	Tweed

Chapman
Creamer
Edwards

Hale
Hubbard

Morris
Nichols

Palmer
Pierce

Van Petton
Williams

21

FOR THE NEGATIVE.

Folger

i

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows :

Assembly, "An act to amend an act entitled 'An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for the Buffalo and Washington Railroad Company,' passed May 6, 1868."

"An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

"An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863."

After some time spent therein the President resumed the chair, and Mr. Parker, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows :

Assembly, "An act for the relief of Elizabeth Craft, widow of Edwin Craft."

"An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal."

Assembly, "An act to divide the seventh judicial district of the city of New York, and to create a new judicial district therefrom."

After some time spent therein the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the first named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration thereof, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following :

IN ASSEMBLY, April 8, 1869.

The Governor having returned the bill entitled "An act to authorize the Commissioners of Public Charities and Corrections of the city of New York, to establish an industrial school on Hart's Island, and for other purposes," pursuant to a resolution of the Assembly, and the vote on the final passage of the same having been reconsidered, said bill was amended by striking out the first section and inserting in lieu thereof the following:

"§ 1. The Commissioners of Public Charities and Corrections of the city of New York, are hereby authorized to maintain on Hart's Island, now the property of the city and county of New York, an industrial school, and in connection therewith are authorized to employ and use the labor of any person from any of the public institutions committed to their charge; and the said Commissioners are hereby authorized to commit to and place in said industrial school any of the children who may be committed to their care pursuant to any provisions of law heretofore or hereafter made."

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Bradley	Folger	Humphrey	Nicks	Stanford
Cauldwell	Genet	Mattoon	Palmer	Thayer
Chapman	Graham	Morris	Parker	Tweed
Creamer	Hale			

22

The President then put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Bradley	Edwards	Hubbard	Nicks	Thayer
Campbell	Folger	Humphrey	Norton	Tweed
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Graham	Morris	Parker	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859," with a message that they had passed the same with the following amendment:

Add as section two the following:

"§ 2. Whenever a vacancy shall exist and there shall have been elected a justice of the peace in any such town whose term of office does not commence until the first day of January following, the person so elected shall be appointed to fill such vacancy."

Mr. Folger moved to refer the amendment to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," with a message that they had passed the same with the following amendments:

Section 2, line 11, engrossed bill, strike out "sixty-nine" and insert "seventy." Line 22, after word "seventy" insert "one." Line 26, after word "seventy" strike out "one" and insert "two."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Thayer
Beach	Crowley	Humphrey	Nicks	Tweed
Bradley	Edwards	Mattoon	Palmer	Van Petten
Campbell	Graham	Morris	Stanford	Williams
Cauldwell	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend the charter of the Guardian Savings Institution," with a message that they had concurred in the passage of the same with the following amendments:

Section 1, line 6, after word "the" insert "fifth." Same section, line 9, after word "trust" insert "by their depositing security with the Bank Department."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Parker	Tweed
Beach	Chapman	Hale	Pierce	Van Petten
Bradley	Edwards	Hubbard	Stanford	Williams
Campbell	Genet	Palmer	Thayer	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Creamer moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863," and that the same be amended as follows, and ordered to a third reading:

Strike out section one, and insert the following in lieu thereof:

"§ 1. The board of health of the Metropolitan police district is hereby authorized, in its discretion, upon application from the proprietor or proprietors of any daily newspaper, to grant a permit to the boat or boats belonging to such newspaper, to board inward bound vessels in the upper or lower harbors of New York for the purpose of collecting news for publication therein, and for no other purpose; and without such permit no boat shall be allowed to board or communicate with such inward bound vessels. Such permit may at any time be withdrawn, upon evi-

dence that the privilege intended to be conferred has been or is likely to be abused."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to make provision for the government of the county of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley moved that said bill be made a special order on Wednesday next, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendent of said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relating to public alleys in the city of Albany," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Manhattan Company to construct railways under ground in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, reported by bill entitled "An act to amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 18, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred

the bill entitled "An act to authorize certain railroad companies to purchase and hold real estate," reported adversely thereto.

Mr. Genet moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Tontine Mutual Savings Bank' of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the 'Stuyvesant Savings Bank' in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to extend the time for the completion of the organization of the 'Clinton Savings Bank,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the 'Home Savings Bank' of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act relative to writs of prohibition," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Fulton and Montgomery County Farmers' Mutual Fire Insurance Association,' passed April 13, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from a majority of the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to encourage the planting of shade trees along the sides of public highways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relating to certain non-resident highway taxes in Franklin county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to construct a highway from St. Regis Lake to Malone," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commission-

ers of highways of the town of Brasher, in the county of St. Lawrence, to borrow money to build a bridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, construct and maintain a public road in the town of Newtown, Queens county, from Jackson avenue to the village of Newtown," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Port Crane Bridge Company," reported adversely thereto, which report was agreed to and said bill rejected.

In pursuance of notice given, Mr. Stanford moved to suspend so much of rule 40 as prohibits a motion being reconsidered more than once, for the purpose of moving to reconsider the vote on the final passage of the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Stanford moved to reconsider the vote by which said bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	O'Donnell	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Campbell	Folger	Morris	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer	Hubbard	Nicks		

23

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Pierce
Beach	Creamer	Hale	Nicks	Stanford
Bradley	Crowley	Hubbard	O'Donnell	Thayer
Campbell	Edwards	Humphrey	Palmer	Van Petten
Cauldwell	Folger	Mattoon	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The President presented the Transactions of the Homœopathic Medical Society of the State of New York for the year 1869, which was laid on the table and ordered printed.

(See Doc. No. 88.)

the bill entitled "An act to authorize certain persons to purchase and hold real estate," reported adversely.

Mr. Genet moved to lay the report upon the table.

The President put the question whether the motion to lay on the table, and it was agreed to.

Mr. Palmer, from the committee on bills, reported a bill entitled "An act to incorporate the city of New York," reported with amendments, and said bill was read twice.

Mr. Palmer, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of New York," same with amendments, and said bill was read twice.

Mr. Palmer, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of New York," same with amendments, and said bill was read twice.

Mr. Palmer, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of New York," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

Mr. Felt, from the committee on bills, reported a bill entitled "An act to amend the charter of the city of Auburn," same with amendments, and said bill was read twice.

[SATURDAY, APRIL 1st

"An act to author-
Kings to send pris-
years to the penit-

"An act relat-
s by auction w
tered, That
otion of l

the bounds of the village of Peekskill
act to consolidate and amend the sev-
Peekskill, to alter the bounds, and to
n of said village,' passed March 25,

by the board of trustees of the
improve the roads, avenues and
vements in said village."
Vermont avenue, in the town

...ville and Summit Plank-
road lying south of Sum-
blic highway, or to sell

entitled 'An act to

ate met pursu

er by Rev. Dr. Elmendo.

ue journal of yesterday was read.

Messrs. Folger, Campbell, O'Donnell,
ford presented remonstrances against any
tan Excise law, which were read and referred
whole.

gree to the

Mr. Pierce presented a remonstrance of citizens of
the passage of any law authorizing the sale of Prospect par... icida
east of Flatbush avenue, which was read and referred to the com... vas
on municipal affairs.

Mr. Edwards presented a remonstrance of residents and property own-
ers of the village of Ravenswood against being included in Hunter's Point
village charter, which was read and referred to the committee on municip-
pal affairs. also re.

Mr. Nichols presented a remonstrance to citizens of Buffalo against
bridging Buffalo river, which was read and referred to the committee on
municipal affairs.

Mr. Humphrey, from the committee on commerce and navigation, to
which was referred the bill entitled "An act in relation to the water-front
of the port of New York," reported in favor of the passage of the same,
with amendments, and said bill was committed to the committee of the
whole.

Mr. Palmer, from the committee on charitable and religious societies,
to which was referred the Assembly bill entitled "An act to incorporate
the Methodist Book Concern in the city of New York," reported in favor
of the passage of the same.

On motion of Mr. Palmer and by unanimous consent the rules were
suspended, and said bill recommitted to the committee to report com-
plete.

Mr. Palmer, from the committee on banks, to which was referred the
Assembly bill entitled "An act to amend an act entitled 'An act to incor-
porate the Auburn Savings Institution,' and the acts amendatory thereof,
passed May 2, 1864, and April 13, 1865," reported in favor of the passage
of the same with amendments.

On motion of Mr. Williams and by unanimous consent the rules were
suspended and said bill ordered engrossed for a third reading.

Mr. Mattoon offered the following:

Resolved, That each Senator hand to the Clerk the title of one bill to
be placed on a preferred calendar, which preferred calendar shall have

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867," with a message that the had passed the same with the following amendments:

Section 2, line 11, engrossed bill, strike out "sixty-nine" and insert "seventy." Line 22, after word "seventy" insert "one." Line 26, after word "seventy" strike out "one" and insert "two."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Thayer
Beach	Crowley	Humphrey	Nicks	Tweed
Bradley	Edwards	Mattoon	Palmer	Van Petten
Campbell	Graham	Morris	Stanford	Williams
Cauldwell	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend the charter of the Guardian Savings Institution," with a message that they had concurred in the passage of the same with the following amendments:

Section 1, line 6, after word "the" insert "fifth." Same section, line 9, after word "trust" insert "by their depositing security with the Bank Department."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Parker	Tweed
Beach	Chapman	Hale	Pierce	Van Petten
Bradley	Edwards	Hubbard	Stanford	Williams
Campbell	Genet	Palmer	Thayer	

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Creamer moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863," and that the same be amended as follows, and ordered to a third reading:

Strike out section one, and insert the following in lieu thereof:

"§ 1. The board of health of the Metropolitan police district is hereby authorized, in its discretion, upon application from the proprietor or proprietors of any daily newspaper, to grant a permit to the boat or boats belonging to such newspaper, to board inward bound vessels in the upper or lower harbors of New York for the purpose of collecting news for publication therein, and for no other purpose; and without such permit no boat shall be allowed to board or communicate with such inward bound vessels. Such permit may at any time be withdrawn, upon evi-

dence that the privilege intended to be conferred has been or is likely to be abused."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to make provision for the government of the county of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley moved that said bill be made a special order on Wednesday next, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendent of said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relating to public alleys in the city of Albany," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Manhattan Company to construct railways under ground in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, reported by bill entitled "An act to amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 18, 1868," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred

the bill entitled "An act to authorize certain railroad companies to purchase and hold real estate," reported adversely thereto.

Mr. Genet moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Tontine Mutual Savings Bank' of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the 'Stuyvesant Savings Bank' in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to extend the time for the completion of the organization of the 'Clinton Savings Bank,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the 'Home Savings Bank' of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act relative to writs of prohibition," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Fulton and Montgomery County Farmers' Mutual Fire Insurance Association,' passed April 13, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from a majority of the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to encourage the planting of shade trees along the sides of public highways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relating to certain non-resident highway taxes in Franklin county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to construct a highway from St. Regis Lake to Malone," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commission-

ers of highways of the town of Brasher, in the county of St. Lawrence, to borrow money to build a bridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, construct and maintain a public road in the town of Newtown, Queens county, from Jackson avenue to the village of Newtown," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Port Crane Bridge Company," reported adversely thereto, which report was agreed to and said bill rejected.

In pursuance of notice given, Mr. Stanford moved to suspend so much of rule 40 as prohibits a motion being reconsidered more than once, for the purpose of moving to reconsider the vote on the final passage of the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Stanford moved to reconsider the vote by which said bill was lost.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	O'Donnell	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Campbell	Folger	Morris	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer	Hubbard	Nicks		

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Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Pierce
Beach	Creamer	Hale	Nicks	Stanford
Bradley	Crowley	Hubbard	O'Donnell	Thayer
Campbell	Edwards	Humphrey	Palmer	Van Petten
Cauldwell	Folger	Mattoon	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The President presented the Transactions of the Homœopathic Medical Society of the State of New York for the year 1869, which was laid on the table and ordered printed.

(See Doc. No. 88.)

Mr. Folger offered the following:

Resolved, That the comptroller of the city and county of New York be and he is hereby requested to report to the Senate with all convenient speed a correct statement of the fees, allowances, and moneys allowed to or had or received by the sheriffs of said city and county during the last seven years.

Mr. Creamer moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the laws of the Province of Canada, or which shall hereafter be incorporated by the laws of the Dominion of Canada," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to incorporate the New York State Poultry Society."

"An act to incorporate the Port Jervis Savings Bank."

"An act to change the boundaries of certain towns in the county of Schuyler."

"An act to revise the charter of the city of Auburn."

"An act supplemental to an act entitled 'An act providing for the better collection of county taxes in the city of Buffalo, and for the sale by the treasurer of Erie county of lands in said city for unpaid taxes,' passed April 7, 1859, and for the purpose of further providing for the better collection of county taxes in said city."

"An act to amend an act entitled 'An act to amend an act passed April 12, 1859, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 13, 1860.'"

"An act to amend 'An act incorporating the village of Sing Sing, in the county of Westchester, passed April 9th, 1853, and the act supplementary thereto and amendatory thereof, passed April 18th, 1859, and also the act supplementary thereto and amendatory thereof,' passed March 3d, 1866."

"An act to lay out, open and grade Atlantic avenue, in the town of New Lots, Kings county."

"An act to release all the right, title and interest of the people of the State of New York in certain real estate, situate in the county of Erie, of which John G. Stimrock died seized."

"An act to authorize Dale Cemetery Association, in the town of Ossining, in the county of Westchester, to invest their surplus funds."

"An act for the relief of Eliza W. Dunlap."

"An act to incorporate 'The Flushing Library Association.'"

"An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany on or about the 16th day of June, 1867."

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to authorize the judges of the several courts of the county of Kings to send prisoners convicted and sentenced for terms less than five years to the penitentiary of said county."

"An act relating to the village of Phelps, Ontario county, regulating sales by auction within said village."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Genet, the Senate adjourned.

SATURDAY, APRIL 17, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Elmendorf.

The journal of yesterday was read and approved.

Messrs. Folger, Campbell, O'Donnell, Van Patten, Parker and Stanford presented remonstrances against any modification of the Metropolitan Excise law, which were read and referred to the committee of the whole.

Mr. Pierce presented a remonstrance of citizens of Brooklyn against the passage of any law authorizing the sale of Prospect park lands lying east of Flatbush avenue, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a remonstrance of residents and property owners of the village of Ravenswood against being included in Hunter's Point village charter, which was read and referred ^{also re} to the committee on municipal affairs.

Mr. Nichols presented a remonstrance to citizens of Buffalo against bridging Buffalo river, which was read and referred to the committee on municipal affairs.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act in relation to the water-front of the port of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Methodist Book Concern in the city of New York," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Auburn Savings Institution,' and the acts amendatory thereof, passed May 2, 1864, and April 13, 1865," reported in favor of the passage of the same with amendments.

On motion of Mr. Williams and by unanimous consent the rules were suspended and said bill ordered engrossed for a third reading.

Mr. Mattoon offered the following:

Resolved, That each Senator hand to the Clerk the title of one bill to be placed on a preferred calendar, which preferred calendar shall have

preference over all other bills on the general orders and be considered in order in which they stand on the calendar of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution :

Resolved, That there be printed the same as last year for each Senator, officer and reporter of the Senate of the Transactions of the State Medical Society, the State Homœopathic Medical Society, and State Eclectic Medical Society, and 500 copies of the State Medical Society, and State Homœopathic Medical Society, for the use of the State Homœopathic Medical Society.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize a tax of $1\frac{1}{2}$ per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the select committee of nine, reported the following entitled bills complete :

Assembly, "An act to enable the trustees of the First Baptist Church of the town of Mooers, Clinton county, to sell their church property to the trustees of the Second Methodist Church of the same town."

"An act to incorporate the White Plains Waterworks Company."

Assembly, "An act to provide a charter for the village of Oneida."

Assembly, "An act for the incorporation of a receiver of taxes and assessments for the town of said city and the village of Peekskill."

"An act to abolish certain establishments in the State prisons and penitentiaries of this State."

Assembly, "An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county."

Assembly, "An act to release to Thomas Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas the interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county."

"An act supplementary to Chapter 842 of the Laws of 1868, in relation to carrying letters, and merchandise by means of pneumatic tubes in New York and Brooklyn."

"An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira."

Assembly, "An act to incorporate the 'Citizens' Mutual Gas Light Company of Auburn.'"

Assembly, "An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation."

Assembly, "An act making provisions for the support of certain dispensaries in the city of Brooklyn."

Assembly, "An act authorizing the corporation of the city of Troy to borrow moneys and issue bonds therefor for the extension of the water-works of said city."

Assembly, "An act to extend the bounds of the village of Peekskill and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village,' passed March 25, 1859."

"An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village."

"An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester."

Assembly, "An act authorizing the Richmondville and Summit Plank-road Company to abandon all that part of their road lying south of Summit Four Corners, and declaring said road a public highway, or to sell any portion of said road necessary."

"An act to amend chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association.'"

Assembly, "An act to authorize the levying of a tax upon the town of Gouverneur, in the county of St. Lawrence, for the benefit of the Gouverneur Wesleyan Seminary, and to increase the capital stock of said seminary."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend the charter of the village of Durhamville, Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Crescent Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Port Byron,' passed March 28, 1855,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Farmer Hall Association of Farmer village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Port Jervis Waterworks Company to issue bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Margarettsville Retreat for the Insane," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act to incorporate the fire department of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole by unanimous consent.

"An act to fix the term of office of the keeper of the county court house, in the city of Brooklyn, county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to fix the bail of the overseer of highways of the town of Hamburg, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the extension of tracks of the Dry Dock, East Broadway and Battery Railroad Company, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the abatement of a public nuisance at Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the West Farms fire department,' passed April 17, 1858, and the act amending the same, passed May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the Brooklyn Transit Company to construct and operate certain railroads by steam power in the counties of Kings and Queens, in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the Mount Olivet Baptist Church, Yonkers, New York, and to change the name thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate Arcade Mutual Protection Association, at Arcade, Wyoming county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to fix the time of holding the annual town meetings in the several towns of Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the contract of Myron H. Mills on the Genesee Valley canal and the work connected therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act authorizing the village of Addison, in the county of Steuben, to extend its corporate limits and to establish fire limits," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for transportation under ground in the city of New York, and to authorize the organization of a railroad corporation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act relative to the village of Ballston Spa," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to create a special highway district in the town of Elizabethtown, Essex county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of the South Brooklyn Savings Institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Commercial Warehouse Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy offered the following :

Resolved, That a respectful message be sent to His Excellency the Governor, respectfully requesting him to return to the Senate for amendment Senate bill No. 49, entitled "An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19, 1868."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street.

"An act to authorize the mortgaging of real estate of certain societies and corporations."

"An act relative to lands devised by Thomas O'Brien, deceased."

"An act relative to the board of revision and correction of assessments in the city of New York."

"An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof or relating to the city of Brooklyn."

"An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal."

"An act to incorporate 'The Fidelity Safe Deposit Company of the city of New York.'"

The bill entitled "An act to incorporate 'The Fidelity Safe Deposit Company of the city of New York,' " having been announced for a third reading,

Mr. Humphrey moved to recommit to the committee on banks, with instructions to amend the same as follows :

Section 2, line 2, after word "of" insert "thirteen." Line 4, strike out "consisting of eleven members."

Section 4, line 11, after "may" insert "make advances."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act to authorize the mortgaging of real estate of certain societies and corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Parker
Beach	Genet	Kennedy	Nichols	Thayer
Bradley	Graham	Mattoon	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to lands devised by Thomas O'Brien, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Genet	Kennedy	Norton	Van Petten
Campbell	Graham	Mattoon	O'Donnell	Williams
Cauldwell	Hale	Morris	Palmer	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to the board of revision and correction of assessments in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Norton	Thayer
Beach	Hale	Mattoon	Palmer	Van Petten
Campbell	Hubbard	Morris	Parker	Williams
Cauldwell	Humphrey	Nichols		

18

FOR THE NEGATIVE.

Chapman	Edwards	Genet
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the fire department of the city of Binghamton," having been announced for a third reading,

Mr. Chapman moved to substitute the Assembly bill upon same subject, as amended by the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Nichols	Parker
Campbell	Graham	Kennedy	Norton	Thayer
Cauldwell	Hale	Mattoon	O'Donnell	Van Petten
Chapman	Hubbard	Murphy	Palmer	Williams
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof or relating to the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Murphy	Parker
Campbell	Graham	Kennedy	Nichols	Thayer
Cauldwell	Hale	Mattoon	Norton	Van Petten
Edwards	Hubbard	Morris	Palmer	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Parker	Williams
Chapman	Hale	Morris		

18

FOR THE NEGATIVE.

Bradley	Murphy	Nichols
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Graham, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate 'The Fidelity Safe Deposit Company of the city of New York,'" with power to report complete, reported the same complete with amendments, as directed by the Senate, which report was agreed to and said bill ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Thayer
Beach	Edwards	Humphrey	Palmer	Van Petten
Campbell	Graham	Kennedy	Parker	Williams
Cauldwell	Hale	Mattoon		

18

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Parker
Beach	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act amending an act entitled 'An act authorizing and requiring the town of Franklinville, in the county of Catawagus, to purchase and acquire title in said town for the Buffalo and Washington Railroad Company,' passed May 6, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Beach	Genet	Humphrey	Nichols	Thayer
Campbell	Graham	Kennedy	O'Donnell	Van Petten
Cauldwell	Hale	Mattoon	Palmer	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Parker
Beach	Genet	Humphrey	Nichols	Van Petten
Campbell	Graham	Kennedy	Norton	Williams
Cauldwell	Hale	Mattoon	Palmer	19

FOR THE NEGATIVE.

Murphy	O'Donnell			2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of Elizabeth Craft, widow of Edwin Craft," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Norton	Thayer
Bradley	Genet	Kennedy	O'Donnell	Van Petten
Campbell	Graham	Mattoon	Palmer	Williams
Cauldwell	Hale			22

FOR THE NEGATIVE.

Nichols				1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Parker
Beach	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	O'Donnell	Van Petten
Cauldwell	Graham	Kennedy	Palmer	Williams
				20

Mr. Nichols moved to reconsider the vote just taken, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to divide the seventh judicial district in the city of New York, and to create a new judicial district therefrom," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Palmer
Beach	Edwards	Hubbard	Murphy	Parker

Campbell	Genet	Humphrey	Nichols	Van Petten	
Cauldwell	Graham	Kennedy	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Norton	Thayer	
Beach	Edwards	Murphy	Palmer	Van Petten	
Campbell	Humphrey	Nichols	Parker	Williams	
Cauldwell	Kennedy				17

Mr. Nichols moved to recommit said bill to the committee on canals to amend the same by striking out in the first section the following words, and report forthwith:

"The expense thereof to be paid out of and charged to the account of funds appropriated for extraordinary repairs of the canals."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nichols, from the committee on canals, reported back said bill amended, as instructed by the Senate.

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Parker	
Bradley	Edwards	Humphrey	Nichols	Thayer	
Campbell	Genet	Kennedy	Norton	Van Petten	
Cauldwell	Graham	Mattoon	Palmer	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, April 15, 1869.

The Governor having returned the bill entitled "An act for the relief of Clinton Stephens," pursuant to a resolution of the Assembly, and the vote upon the passage of the same having been reconsidered; on motion of Mr. Miller and by unanimous consent said bill was amended by inserting after the word "damages" in section 1, the words "alleged to have been." Also, by striking out the second section of said bill, and changing the remaining sections to correspond, and as amended, read a third time and passed.

The President put the question whether the Senate would agree to reconsider the vote on the final passage of said bill, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Thayer
Bradley	Graham	Kennedy	O'Donnell	Van Petten
Campbell	Hale	Mattoon	Palmer	Williams
Cauldwell	Hubbard	Morris	Parker	19

The President then put the question whether the Senate would agree to concur in said amendments and final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Parker
Bradley	Genet	Kennedy	Norton	Thayer
Campbell	Hale	Mattoon	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Palmer	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

On motion of Mr. Thayer and by unanimous consent the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to amend 'An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference,' passed May 5, 1863," and the same read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Parker
Campbell	Genet	Humphrey	Nichols	Thayer
Cauldwell	Graham	Kennedy	O'Donnell	Van Petten
Chapman	Hale	Mattoon	Palmer	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Genet and by unanimous consent the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to provide payment to the Twenty-second Regiment National Guard of the annual appropriation due under section 183 of the Military Code, for the years 1863, 1864 and 1865," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Parker
Campbell	Genet	Kennedy	Norton	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
Chapman	Hubbard	Morris		18

FOR THE NEGATIVE.

Nichols	O'Donnell
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Mattoon and by unanimous consent the Assembly bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857, being chapter 267 of said laws," was recommitted to the committee on canals, with power to report complete.

Mr. Beach offered the following:

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Edwards moved that the Assembly bill entitled 'An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15th, 1837, and the several acts amendatory thereof, passed March 20th, 1857,'" be recommitted to the committee on municipal affairs, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Murphy and by unanimous consent the following entitled bills were recommitted to the committee on municipal affairs, with power to report complete:

Assembly, "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865."

Assembly, "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1846, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852."

"An act to alter the commissioners' map of the city of Brooklyn."

"An act to amend the several acts to alter the commissioners' map of the city of Brooklyn, passed May 12, 1846, and May 1, 1865, and further to alter said map."

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7th, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the laws of the Province of Canada, or which shall hereafter be incorporated by the laws of the Dominion of Canada," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to authorize the New York Railway Company to construct certain railroads in the city and county of New York and across the Harlem river."

Mr. Cauldwell moved that said bill be placed in the same position upon the general orders as when returned to the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell offered the following:

Resolved, That the annual message of the Governor be made a special order for Thursday evening at half-past 7 o'clock, and that a special session be held for that purpose at that time.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morris moved that the Assembly bill entitled "An act to consoli-

date and amend the several acts relating to the village of Jamestown and to enlarge the powers of the corporation," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Murphy	Parker	
Beach	Edwards	Kennedy	Nichols	Thayer	
Campbell	Hale	Mattoon	Norton	Van Petten	
Cauldwell	Hubbard	Morris	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Nichols called for the consideration of the resolution heretofore offered by him, as follows:

Resolved, (if the Assembly concur,) That there be added to the 13th standing rule of the joint rules of the Senate and Assembly, at the end thereof, the following words, viz: Whenever extra copies of any document shall be ordered printed, the printer shall be authorized and required to deliver to the Trustees of the State Library at least five copies in addition to the number so ordered, for the use of the said library; and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred, for the purpose of literary exchanges.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Methodist Book Concern in the city of New York," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Humphrey	Nichols	Parker
Cauldwell	Graham	Kennedy	O'Donnell	Thayer
Chapman	Hale	Mattoon	Palmer	Van Petten
Edwards	Hubbard			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Van Petten, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the charter of the Guardian Savings Institution."

"An act to amend an act entitled 'An act to amend the charter of' the Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage,' passed April 17, 1863."

Mr. Williams gave notice that he would, at some early day, move to suspend rule 40 of the Senate, so far as to allow a reconsideration of the vote by which Senate bill No. 322 was lost, said bill being entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

Mr. Hubbard offered the following:

Resolved, That the Clerk of the Senate be directed to furnish each member and officer of the Senate with five copies of the Civil List for 1869.

Mr. Mattoon moved to amend said resolution by striking out "five" and inserting "ten."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Norton	Van Petten	
Cauldwell	Hubbard	Mattoon	O'Donnell	Williams	
Chapman	Humphrey	Morris	Thayer		14

FOR THE NEGATIVE.

Banks	Campbell	Hale	Nichols	Parker	
Bradley	Edwards	Murphy	Palmer		9

Mr. Humphrey moved further to amend said resolution by inserting after the word "officer" the word "reporter."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Murphy moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Morris	Nichols	Palmer	
Edwards	Hale	Murphy	O'Donnell		9

FOR THE NEGATIVE.

Beach	Hubbard	Kennedy	Norton	Van Petten	
Cauldwell	Humphrey	Mattoon	Thayer	Williams	
Chapman					11

On motion of Mr. Hubbard and by unanimous consent the rules were suspended and the Assembly bill entitled "An act to change the corporate name of the First Baptist Church and Society of Hamden and East Walton to the First Baptist Church and Society of Walton," was recommended to the committee on charitable and religious societies, with power to report complete.

Mr. Murphy offered the following:

Resolved, That the Senate bill entitled "An act for the settlement of the adjudicated awards certified to be due to the Militia of the State of New York who served in the war of 1812," be made the special order for Wednesday next, and from day to day thereafter until disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Bradley moved that the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," be recommitted to the committee on commerce and navigation, to retain its place on general orders.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act in relation to a public park in the city of Albany."

"An act for the improvement of the east and west branches of St. Regis river."

"An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation."

After some time spent therein the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Williams, from the same committee, reported in favor of the passage of the second named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Edwards moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on municipal affairs to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Morris gave notice that he would, at some future day, move to amend the 48th rule of the Senate by striking out the following, viz: "And the consent of the Senate to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business, shall not be transmitted to the Governor until the next day thereafter for the transaction of such business."

On motion of Mr. Chapman and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to facilitate the construction of the Cayuga Lake railroad, and to authorize the town of Springport, Cayuga county, to subscribe to the capital stock thereof," was recommitted to the committee on railroads, with power to report complete.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach
Bradley

Genet
Hale

Morris

Nichols

Parker

FOR THE NEGATIVE.

Campbell	Graham	Kennedy	O'Donnell	Van Petten
Chapman	Hubbard	Mattoon	Palmer	Williams
Edwards	Humphrey			

12

After debate,

Mr. Genet moved to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Morris	Nichols	Thayer
Bradley	Genet			

7

FOR THE NEGATIVE.

Campbell	Hale	Kennedy	O'Donnell	Parker
Chapman	Hubbard	Mattoon	Palmer	Van Petten
Graham	Humphrey			

12

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage thereof:

"An act to enable John Augustus Hill, an alien, to hold real estate."

The Assembly returned the following entitled bill:

"An act to amend the charter of the Guardian Savings Institution."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to lengthen the terms of office of the recorder, city judge and surrogate, in the city and county of New York."

"An act to authorize the board of education of union free school district No. 1, of the town of Moravia, in the county of Cayuga, to bond said district for the purpose of building a school house, and to legalize certain acts of the inhabitants therein, and of the said board of education."

Ordered, That the Clerk deliver said bills to the Governor.

The President having announced the order of business of general orders, Mr. Beach moved to lay that order of business upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Campbell	Hale	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Thayer
Bradley	Genet			

12

FOR THE NEGATIVE.

Chapman	Hubbard	Mattoon	Palmer	Van Petten
Graham				

6

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to facilitate the construction of the Cayuga Lake railroad, and to authorize the town of Springport, Cayuga county, to subscribe to the capital stock thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Beach	Genet	Humphrey	Nichols	Van Patten
Bradley	Graham	Kennedy	Palmer	Williams
Chapman	Hale	Mattoon	Parker	

19

FOR THE NEGATIVE.

Murphy 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the Assembly bill entitled "An act to incorporate the Margarettsville Retreat for the Insane," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Genet	Hale	Mattoon	Van Patten
Bradley	Graham	Kennedy	Parker	Williams

11

FOR THE NEGATIVE.

Banks	Hubbard	Morris	Nichols	Thayer
Chapman	Humphrey	Murphy	Palmer	

9

Whereupon the Senate adjourned.

MONDAY, APRIL 19, 1869—7½ O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of Saturday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act for the improvement of the east and west branches of the St. Regis river."

"An act to incorporate the White Plains Waterworks Company."

"An act to amend an act entitled 'An act to incorporate the Auburn Savings Institution, and the acts amendatory thereof,' passed May 2, 1864, and April 13, 1865."

"An act to abolish certain punishments in the State prisons and penitentiaries of this State."

"An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester."

"An act supplementary to chapter 842 of the Laws of 1868, in relation

to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn."

"An act to amend chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association.'"

"An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira."

The bill entitled "An act to amend chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Thayer
Cauldwell	Folger	Kennedy	Nicks	Van Petten
Chapman	Genet	Mattoon	Palmer	Williams
Crowley	Hubbard	Morgan	Parker	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Auburn Savings Institution, and the acts amendatory thereof,' passed May 2, 1864, passed April 13, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Chapman	Genet	Mattoon	Nicks	Van Petten
Crowley	Hubbard	Morgan	Palmer	Williams
Edwards	Humphrey	Morris	Parker	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Palmer	Williams
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the White Plains Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Palmer	Williams
Crowley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to enable the trustees of the First Baptist Church of the town of Mooers, Clinton county, to sell their church property to the trustees of the Second Methodist Church of the same town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Thayer
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams
Crowley	Humphrey			

17

FOR THE NEGATIVE.

Banks	Morris	Nichols	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide a charter for the village of Oneida," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Parker
Beach	Edwards	Humphrey	Nichols	Thayer
Cauldwell	Folger	Kennedy	Nicks	Van Petten
Chapman	Genet	Mattoon	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the election of a receiver of taxes for the town of Cortlandt and the village of Peekskill," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten

Chapman	Hubbard	Morgan	Palmer	Williams	21
Crowley					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to abolish certain punishments in the State prisons and penitentiaries of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Thayer	
Cauldwell	Genet	Mattoon	Nicks	Van Petten	
Chapman	Hubbard	Morgan	Palmer	Williams	
Crowley	Humphrey	Morris	Parker		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Beach	Edwards	Humphrey	Nichols	Thayer	
Cauldwell	Folger	Kennedy	Nicks	Van Petten	
Chapman	Genet	Morgan	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Nicks	Thayer	
Beach	Hubbard	Morris	Palmer	Van Petten	
Cauldwell	Kennedy	Nichols	Parker	Williams	
Edwards					16

FOR THE NEGATIVE.

Chapman	Crowley	Humphrey	3
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Mr. Genet moved to reconsider said vote, and that the motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate the 'Citizens' Mutual Gas Light Company of Auburn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Palmer	Van Petten	
Cauldwell	Edwards	Morris	Parker	Williams	
Chapman	Humphrey	Nicks	Thayer		14

FOR THE NEGATIVE.

Folger	Hubbard	Kennedy	Nichols	4
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Mr. Williams moved to reconsider said vote, and that the motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act authorizing the corporation of the city of Troy to borrow moneys and issue bonds therefor for the extension of the waterworks of said city," having been announced for a third reading,

On motion of Mr. Thayer, and by unanimous consent, said bill was amended by inserting in section one after the word "mayor" the word "recorder."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Beach	Edwards	Kennedy	Nichols	Thayer	
Cauldwell	Folger	Mattoon	Nicks	Van Petten	
Chapman	Genet	Morgan	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend the bounds of the village of Peekskill and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds and to enlarge the powers of the corporation of said village,' passed March 25, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Beach	Edwards	Kennedy	Nichols	Thayer	
Cauldwell	Folger	Mattoon	Nicks	Van Petten	
Chapman	Genet	Morgan	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Beach	Edwards	Humphrey	Nichols	Thayer	
Cauldwell	Folger	Kennedy	Nicks	Van Petten	
Chapman	Genet	Mattoon	Palmer	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the Richmondville and Summit Plankroad Company to abandon all that part of their road lying south of Summit Four Corners, and declaring said road a public highway, or to sell any portion of said road necessary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker	
Beach	Folger	Kennedy	Nichols	Thayer	
Cauldwell	Genet	Mattoon	Nicks	Van Petten	
Chapman	Hubbard	Morgan	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the levying of a tax upon the town of Gouverneur, in the county of St. Lawrence, for the benefit of the Gouverneur Wesleyan Seminary, and to increase the capital stock of said seminary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Palmer	
Beach	Edwards	Humphrey	Morris	Parker	
Cauldwell	Folger	Kennedy	Nichols	Thayer	
Chapman	Genet	Mattoon	Nicks	Van Petten	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to a public park in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Palmer	Williams
Crowley				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the improvement of the east and west branches of St. Regis river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morgan	Parker
Beach	Folger	Kennedy	Morris	Thayer
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Hubbard			17

FOR THE NEGATIVE.

Crowley	Nichols	Nicks	Williams	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President having announced the special order, being the bill entitled as follows :

"An act to incorporate the Niagara Ship Canal Company."

Mr. Parker moved to postpone the same until Wednesday next, immediately after the special order already set down for that day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Thayer presented a remonstrance of citizens of Troy against increasing the pay of members of the Capital police, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a protest of the Long Island Presbytery against amending the Excise law, which was read and referred to the committee of the whole.

Messrs. Parker and Humphrey presented remonstrances upon same subject, which were read and referred to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to establish an asylum for orphan, friendless, and illegitimate children of German origin," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the West Farms fire depart-

ment,' passed April 17, 1858, and the act amending the same, passed May 9, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to enable agricultural and horticultural societies to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose,' passed March 7, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act relating to the Jordan academy, and free schol district No. 4, in the town of Elbridge, in the county of Onondaga," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Franklin Literary Society of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to change the name of the Oneida Conference Seminary, and to enlarge the powers of the trustees thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to prevent nuisances near public schools," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Young Men's Lyceum of the village of Tarrytown, Westchester county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to define the boundaries of union free school district No. 7, in the town of Cortlandt, county of Westchester," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate 'The Literary Society of St. Vincent Ferrer,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of

Clyde, in the county of Wayne,' passed May 2, 1835," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to direct the employment of a stenographer for the county court, and court of sessions, in and for the county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the proceedings of an annual school meeting, held October 13, 1868, in district No. 2, town of East Chester, Westchester county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act in relation to the appointment of two stenographers and an interpreter to the marine court of the city of New York,' passed April 25, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to increase the 'city fund' of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the common council of the city of Brooklyn to open and improve Twenty-fifth street, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to direct the employment of a stenographer for the courts of record in and for the city of Buffalo and county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 6 of chapter 70 of the Laws of 1845, as amended by section 4, chapter 259 of the Laws of 1851, relating to Clinton prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to incorporate the Ramapo Land and Water Company at Suffern, Rockland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to extend Bedford avenue and Herkimer street, to widen Perry avenue, and to change the name thereof, and to close parts of adjoining streets and roads in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in reference to the exemption of the firemen of the village of Rome from taxation, in the same manner as members of the National Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie and for sewers therein,' passed April 12, 1867, and to repeal chapter 475 of the Laws of 1868," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 488 of the Session Laws of 1868, entitled 'An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county,' passed April 30th, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the village of Chateaugay, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the interest of the State in the real estate of which Mary Baird, late of Ithaca, Tompkins county, New York, died seized, to Mary Jane Drake, of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate 'The Oneida County Savings Bank,' in the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to release to the heirs-at-law of James Todd, deceased, all the estate, title and interest of the people of the State of New York of, in and to certain real estate in the town of Rossie, and county of St. Lawrence,' passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to provide for the laying out and opening a public highway in the town of Newburgh,' passed April 30, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York Railroad Company, passed April 12th, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to consolidate the German and French Bethlehem Baptist Church of the city of New York, and the German Pilgrim Baptist Church of the city of New York into a church to be known as the Second German Baptist Church of the city of New York, and to confirm the title to the property of both of the said churches in the said The Second German Baptist Church of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate Lorraine Lodge No. 71, Independent Order of Good Templars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the 'Storm King Fire Engine Company No. 2,' of Cornwall Landing, Orange county, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amendatory thereof," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to further amend an act entitled 'An act to provide for the widening of Fourth avenue, in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The Rochester Maennerehor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to protect butter and cheese manufacturers,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to incorporate Monitor Hose Company No. 6, of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to confirm certain acts of the recorder of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Ellisburgh, in the county of Jefferson, to raise money to build town house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 16, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in relation to the Croton Aqueduct in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the highway law in regard to the manner of working public highways by commutation or otherwise, in the county of Columbia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the charter of the village of Attica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to attorney's costs in surrogate's court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable lodges and encampments of the Independent Order of Odd Fellows of Oneida county to take, hold and convey real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to require the Brooklyn and Union Ferry Companies to run certain boats in the night-time," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to establish a ward for surgical and medical treatment of persons wounded or taken ill in the city of New York south of Canal street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act to amend an act entitled 'An act to incorporate the Contributors of the New York Dispensary,' passed April 8, 1795," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act for the relief of O. P. Root," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Charles J. De Graw," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the Mill Brook Log Company to improve Mill Brook, in the county of Warren, leading from Lake Pharaoh to Schroom lake, by the erection of dams and otherwise, and to provide for the appointment of appraisers to appraise the damages that may accrue to land-owners along the said stream on account of the use of and running of logs by said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act in relation to railroad and omnibus employees in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to extend the time for the organization of the Commercial Warehouse of Albany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Banks and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Parker
Beach	Edwards	Humphrey	Morris	Thayer
Cauldwell	Folger	Kennedy	Nichols	Van Petten
Chapman	Genet	Mattoon	Palmer	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April

25, 1867; and also the act supplementary thereto, passed Jan. 22, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Genet offered the following:

Resolved, (if the Assembly concur,) That this Legislature adjourn *sine die*, on Friday, April 30th, at 12 o'clock noon.

Ordered, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act authorizing the Utica, Chenango and Susquehanna Valley railroad to extend their road to Oneonta, in the county of Otsego, and to extend the time for bonding the towns along the line of said road to aid in building the same.

Assembly, "An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the village of Macedon, and appropriating moneys therefor."

"An act to provide for the construction of a bridge on the Cattaraugus Indian Reservation, and for repairing the State bridge over the Cattaraugus creek."

After some time spent therein, the President resumed the chair, and Mr. Beach, from said committee, reported in favor of the passage of the two first named bills without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Beach, from the same committee, reported in favor of the passage of the last named bill with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to extend the time for the organization of the Commercial Warehouse Company of Albany."

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to refer to the Canal Board the claim of Edward H. Edwards."

Assembly, "An act for the relief of the Erie and Genesee Valley Railroad Company."

After some time spent therein the President resumed the chair, and Mr. Morris, chairman of said committee, reported that there was no quorum present.

The President directed the Clerk to call the roll, when the following Senators were found to be present:

Banks	Edwards	Kennedy	Morris	Parker
Beach	Folger	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Palmer	Williams
Crowley	Humphrey			

17

Mr. Humphrey moved that the committee of the whole be discharged from the further consideration of the bills under consideration in committee of the whole, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Folger	Mattoon	Palmer	Van Petten
Crowley	Humphrey	Morgan	Parker	Williams
Edwards	Kennedy			12

FOR THE NEGATIVE.

Banks	Hubbard	Morris	Nicks	4
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When the name of Mr. Beach was called he asked to be excused from voting, having paired with Mr. Thayer.

The President put the question whether the Senate would agree to excuse Mr. Beach, and it was decided in the affirmative.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend an act entitled 'An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,' passed May 2, 1868."

"An act to incorporate the Fulton Market Fish Mongers' Association of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to incorporate 'The Ogdensburgh Savings Bank.'"

"An act to amend an act entitled 'An act for the appointment of an interpreter in the courts of Kings county,' passed May 2, 1864."

"An act to incorporate the Ellenville Savings Bank."

"An act to amend section 16 of chapter 782 of the Laws of 1867, relative to compensation of surrogates."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the German Savings Bank of the city of New York,' passed April 9th, 1859, passed March 4th, 1865.'"

"An act to incorporate the Working Women's National Association."

"An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village,' passed May 4, 1868, and designating commissioners of construction to carry the same into effect."

"An act to release the interest of the people of the State of New York of, in and to certain real estate situated in the town of Cortlandt and county of Westchester, to Frederick E. Dyckman."

"An act in relation to the place of trial of certain offenses."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Genet, the Senate adjourned.

TUESDAY, APRIL 20, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to make provision for the government of the city of New York."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on said bill and asked leave to sit again.

Mr. Crowley moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the affirmative.

Mr. Pierce, from the select committee of nine, reported the following entitled bills complete:

"An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county."

Assembly, "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, as amended by chapter 722 of the Laws of 1868."

Assembly, "An act to legalize the incorporation of the 'Wellsville and State Line Turnpike Company,' and to provide for increase of tolls thereon."

Assembly, "An act for the relief of the Northport, Huntington and Oyster Bay Steamboat Company."

Assembly, "An act to incorporate the Little Falls Savings Bank in the village of Little Falls, Herkimer county, New York."

Assembly, "An act to incorporate the Wappinger's Savings Bank of Wappinger's Falls, Dutchess county, New York."

Assembly, "An act to incorporate the Dansville Savings Bank at Dansville, Livingston county."

Assembly, "An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimble to construct tramways on their turnpike road, and to straighten and increase the width of the same, and to fix the tolls thereon."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 20, 1869.

To the Senate: I return without my signature Senate bill No. 205, entitled "An act to authorize the Avenue C Railroad Company of the city of New York to extend their railroad tracks through certain streets and avenues in said city."

The company was chartered by act of the Legislature on the 6th of May, 1868. Up to this time it has built no portion of its railroad. The bill now before me, amending the charter, give the company the privilege of laying its tracks in streets and avenues not covered by the original grant; and it does not provide for compensation to be paid therefor into the treasury of the city or that of the State.

It comes within the objections stated by me in a message sent to the Senate on the 14th inst., in relation to the bill authorizing the construction of a railroad in One Hundred and Twenty-fifth street and other streets of the city of New York. I therefore return the bill and respectfully ask its reconsideration.

JOHN T. HOFFMAN.

Mr. Genet moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to revive and continue in force an act entitled 'An act to prevent the introduction and spread of the disease known as the Rinderpest, and for the protection of the flocks and herds of sheep and cattle in this State from destruction by this and other infectious diseases,' passed April 20th, 1866, and the act amending the same, passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE,

Banks	Crowley	Humphrey	Palmer	Tweed
Campbell	Edwards	Kennedy	Parker	Van Petten
Chapman	Genet	Morgan	Stanford	Williams
Creamer	Hale	Nicks	Thayer	19

FOR THE NEGATIVE.

Murphy

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Campbell presented a petition of citizens of Rome, on the subject of canals, which was read and referred to the committee on canals.

Mr. Kennedy presented a petition of citizens of Syracuse, in favor of amendment of Constitution to give Legislature power to enlarge State canals, which was read and referred to the committee on canals.

Mr. Folger presented a petition upon same subject, which was read and referred to the committee on canals.

Mr. Edwards presented a resolution adopted by the town of East Hampton, at annual town meeting, against erection of proposed new county of Nassau, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Cauldwell presented a petition of Matthew Lynch and Thomas Finelle, executors of the last will and testament of Thomas J. Lynch, deceased, which was read and referred to the committee on the judiciary.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the salaries and pay of the firemen, officers and employees of the Metropolitan Fire department," reported adversely thereto.

Mr. Creamer dissented from said report, and requested the same to be entered upon the journal.

Mr. Tweed moved to disagree with the report of the committee, and refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Graham	Norton	Pierce	
Cauldwell	Genet	Hubbard	Palmer	Tweed	
Creamer					11

FOR THE NEGATIVE.

Banks	Folger	Morgan	Parker	Thayer	
Cauldwell	Hale	Murphy	Stanford	Van Petten	
Crowley	Kennedy	Nicks			13

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of residents and tax-payers in the vicinity of Mt. Morris square for placing appropriations for Mt. Morris square under the management of commissioners of the Central park, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to prevent the slaughtering of cattle south of Eighty-sixth street, in the city and county of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the petition of the doormen of the Metropolitan police for an increase of compensation, reported adversely thereto, and in favor of the adoption of the following resolution :

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the towns of Westchester and West Farms to construct a highway in said towns to be known as 'The Fordham and Pelham avenues,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a Capital police and to provide for the government thereof,' passed April 22, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts incorporating the village of Pulaski, in the county of Oswego,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1847, so far as relates to the village of Valatie, in the county of Columbia," reported that they have made some amendments thereto, and have amended the title so as to read, "An act in relation to the village of Valatie, in the county of Columbia," and as amended recommend its passage ; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to declare John street, in the village of Gouverneur, a public highway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 1, 1864, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the purchase of a steam fire engine in the village of Sing Sing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the village of Addison, in the county of Steuben, to extend its corporate limits and to establish fire limits," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,' passed April 19, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4th, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Galway, in the county of Saratoga,' passed April 18, 1838," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of St. Johnsville, in the county of Montgomery," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation,' passed April 24, 1868," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the village of Morrisville to raise money for certain purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend section 2 of chapter 108 of the Laws of 1866, in relation to the charter of the village of Cooperstown," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide a suitable room for the Exempt Firemen's Association of the city of New York in which to hold its meetings," reported adversely thereto.

Mr. Norton moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Norton, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Hubbard	Murphy	Pierce	
Cauldwell	Graham	Morris	Norton	Tweed	
Creamer					11

FOR THE NEGATIVE.

Campbell	Folger	Nicks	Parker	Thayer	
Crowley	Morgan	Palmer	Stanford	Van Petten	
Edwards					11

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Morgan	Palmer	Thayer	
Bradley	Edwards	Nicks	Parker	Van Petten	
Campbell	Folger				12

FOR THE NEGATIVE.

Chapman	Hubbard	Murphy	Norton	Tweed	
Creamer					6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act passed April 13, 1860, entitled 'An act to encourage the construction of sidewalks in the village of Unadilla, Otsego county,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 324 of the Laws of 1850, entitled 'An act in regard to boards of health in cities and villages,'" reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to repeal a clause in the charter of the village of Nunda, in the county of Livingston," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on banks, to which was referred the the bill entitled "An act to amend the charter of the Cosmos Life Policy Trust Company of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7, 1863," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 16th, 1864," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to change the corporate name of the First Baptist Church and Society of Hamden and East Walton to the First Baptist Church and Society of Walton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate, grade and macadamize certain pieces of highways in the town of Westchester, in the county of Westchester, and known as the Fort Schuyler, Pelham Bridge, West Farms, Williams Bridge and Westchester and East Chester Road and Union avenue," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Genet, from the committee on public health and medical societies and colleges, to which was referred the Assembly bill entitled "An act to establish a ward for the surgical and medical treatment of persons wounded or taken ill in the city of New York south of Canal street," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to revive and continue in force an act entitled 'An act to prevent the introduction and spread of the disease known as the Rinderpest, and for the protection of the flocks and herds of sheep and cattle in this State from destruction by this and other infectious diseases,' passed April 20, 1866, and the act amending the same passed April 19, 1867, and to extend the provisions thereof."

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to the care and education of indigent deaf mutes under the age of twelve years, and to amend the acts in

relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Long Island Meat, Vegetable and Fish Market," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly sent for concurrence the bills entitled as follows :

"An act for the relief of the Hamilton Avenue and Prospect Park Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the president of the board of water commissioners, of the village of Cohoes, to administer oaths," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the 'Whiteport Plankroad Company' to change the route of such road at certain points, and also to lay an iron track for certain uses along their plank way," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to repeal the act to open and improve Maspeth avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Chapin Home for the Aged and Infirm,' in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to close that portion of Water street in the Seventeenth ward of the city of Brooklyn extending from Union avenue to Ash street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to repeal an act entitled 'An act in regard to school district No. 16, in the town of Pittstown, in the county of Rensselaer,' passed March 15, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act incorporating the Sportsmen's Association of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act regulating the preparation of medical prescriptions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act to open and improve Ann street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the St. Patrick's Mutual Benevolent Society of Northfield," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act passed April 28, 1865, entitled 'An act to amend the act entitled 'An act establishing a quarantine and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the board of directors of the Westchester County Mutual Insurance Company to change the location of its principal office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend an act entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend the charter of the village of Marathon, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the commissioners of excise of the county of Albany, their appointment, powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for laying out, opening and maintaining a public street or highway in the village and town of Lyons, in the county of Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the Eclectic Medical College of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health and medical societies and colleges.

"An act to authorize the First Universalist Society of North Salem and vicinity, and the School Society of Ridgebury, to sell certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend section 1 of chapter 846 of the Laws of 1868, incorporating the 'Milton Ferry Company,' passed June 2, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to enable the electors of the town of Wilna, in the county of Jefferson, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860, and also to amend an act entitled

'An act to amend an act entitled 'An act revising the charter of the city of Oswego,' passed May 9, 1867,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to pave, macadamize, grade and widen certain streets in the village of Fonda, and to raise money and appoint a superintendent for the same, and for poll tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the town auditors of the town of Ellington, Chautauqua county, to audit the accounts, costs and damages of the late commissioners of highways of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the Methodist Book Concern in the city of New York."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 8, 1861, in relation to assessments to schools, the powers and duties of the common council and other officers therein, and to require the Rochester Gas Light Company to extend their mains."

"An act to consolidate and amend the several acts relating to the village of Jamestown, and to enlarge the powers of the corporation."

"An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and take stock in the Union Village and Johnsonville Railroad Company."

"An act to incorporate the Trustees of the Wadsworth Library."

"An act to establish free schools in district No. 5 in the town of Flushing,' passed March 10, 1848."

"An act to legalize the proceedings of the annual town meeting of Whitestown, in the county of Oneida, held March 2d, 1869, in reference to the purchase by said town of the Rome and Utica plankroad, and to provide means for the payment of the same."

"An act in relation to the place of trial of certain offenses."

"An act to relinquish the title of the State to certain lands in the town of Westfield, Chautauqua county, to Mary Ann Nundy."

"An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851."

"An act to confirm the title of Henry Bohm to a lot of land on the southerly side of Laight street, in the city of New York."

"An act to enable the board of supervisors of the county of Kings to equalize the salaries of the several superintendents of the poor in said county."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to amend the act passed March 23, 1850, entitled 'An act for the protection of purchasers of real estate upon sales by order of surrogates.'"

The Assembly also returned the following entitled bill:

"An act to amend an act entitled 'An act to amend the charter of the

Rochester Waterworks Company, and to authorize such company to borrow money and to secure the payment thereof by bonds and mortgage," passed April 17, 1863."

Ordered, That the Clerk deliver said bills to the Governor.
On motion of Mr. Humphrey, the Senate adjourned.

WEDNESDAY, APRIL 21, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act for the relief of the Northport, Huntington and Oyster Bay Steamboat Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Murphy	Parker	
Beach	Folger	Mattoon	Nicks	Stanford	
Campbell	Graham	Morris	Palmer	Williams	
Crowley	Humphrey				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Little Falls Savings Bank, in the village of Little Falls, Herkimer county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Parker	
Beach	Edwards	Kennedy	Nicks	Stanford	
Bradley	Folger	Mattoon	Palmer	Williams	
Campbell	Graham				17

FOR THE NEGATIVE.

Nichols					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Wappinger's Savings Bank of Wappinger's Falls, Dutchess county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce
Beach	Crowley	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	Palmer	Williams
Campbell	Folger	Mattoon	Parker	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Dansville Savings Bank, at Dansville, Livingston county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Stanford
Beach	Crowley	Humphrey	Nicks	Tweed
Bradley	Edwards	Kennedy	Parker	Williams
Campbell	Folger	Mattoon		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to repeal chapter 812 of the Laws of 1868, entitled 'An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wallkill river,' passed May 11th, 1868," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Graham, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Morris	Stanford
Bradley	Genet	Mattoon	Palmer	Tweed
Campbell	Graham	Morgan	Parker	Williams
Creamer	Humphrey			17

FOR THE NEGATIVE.

Folger	O'Donnell	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village."

"An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county."

"An act to refer to the Canal Board the claim of Edward H. Edwards."

"An act to provide for the construction of a bridge on the Cattaraugus Indian Reservation, and for repairing the State bridge over the Cattaraugus creek."

"An act to make provision for the government of the city of New York."

The Assembly bill entitled "An act to legalize the incorporation of the 'Wellsville and State Line Turnpike Company,' and to provide for increase of tolls thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Beach	Folger	Mattoon	Nicks	Stanford
Bradley	Genet	Morgan	Palmer	Williams
Campbell	Humphrey	Morris		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimble to construct tramways on their turnpike road, and to straighten and increase the width of the same, and to fix the tolls thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Nicks	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Genet	Morgan	Parker	Tweed
Campbell	Humphrey	Morris	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Morris	Norton	Stanford
Cauldwell	Humphrey	Murphy	Palmer	Tweed
Crowley	Kennedy	Nichols	Parker	Van Petten
Edwards	Mattoon	Nicks	Pierce	Williams
Folger	Morgan			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed offered the following:

Resolved, (if the Assembly concur,) That His Excellency the Governor be and he hereby is respectfully requested to return to the Senate the bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate in the city and county of New York," to the end that a clerical omission in the same may be corrected.

On motion of Mr. Tweed, and by unanimous consent, the rules were suspended and said resolution adopted.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the construction of a bridge on the Cattaraugus Indian Reservation, and for repairing the State bridge over the Cattaraugus creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Morgan	Norton	Stanford
Campbell	Humphrey	Morris	Palmer	Thayer
Cauldwell	Kennedy	Murphy	Parker	Van Petten
Edwards	Mattoon	Nicks	Pierce	Williams
				20

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to release to Thomas Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas the interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county, passed March, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Genet	Nichols	Parker	Williams
Creamer	Humphrey			
				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the Utica, Chenango and Susquehanna Valley railroad to extend their road to Oneonta, in the county of Otsego, and to extend the time for bonding the towns along the line of said road to aid in building the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Nichols	Parker	Thayer	
Bradley	Humphrey	Nicks	Pierce	Van Petten	
Campbell	Mattoon	Norton	Stanford	Williams	
Cauldwell	Morris	Palmer			18

FOR THE NEGATIVE.

Creamer	Folger	Genet	Morgan		4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the village of Macedon, and appropriating moneys therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford	
Campbell	Folger	Morgan	Norton	Thayer	
Cauldwell	Humphrey	Morris	Palmer	Van Petten	
Chapman	Kennedy	Nichols	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act making provision for the support of certain dispensaries in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Murphy	Palmer	
Bradley	Edwards	Mattoon	Nichols	Parker	
Campbell	Genet	Morgan	Nicks	Stanford	
Cauldwell	Humphrey	Morris	Norton	Williams	
Chapman					21

FOR THE NEGATIVE.

Van Petten					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Genet moved to take from the table the motion to reconsider the vote upon the bill entitled "An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nichols	Stanford	
Bradley	Edwards	Kennedy	Norton	Thayer	
Campbell	Genet	Mattoon	Palmer	Van Petten	
Cauldwell	Graham	Morris	Parker	Williams	20

FOR THE NEGATIVE.

Chapman	Crowley	Folger	Nicks		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to refer to the Canal Board the claim of Edward H. Edwards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morris	Thayer	
Bradley	Creamer	Humphrey	Nichols	Van Petten	
Campbell	Edwards	Kennedy	Nicks	Williams	
Cauldwell	Genet	Mattoon	Norton		19

FOR THE NEGATIVE.

Folger	Stanford				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of the Erie and Genesee Valley Railroad Company," having been announced for a third reading,

Mr. Bradley moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	Norton	Stanford	Williams	
Edwards	Mattoon	O'Donnell			18

FOR THE NEGATIVE.

Beach	Cauldwell	Genet	Nichols	Pierce	
Bradley	Creamer				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nichols	Pierce
Campbell	Folger	Kennedy	Nicks	Stanford
Cauldwell	Genet	Mattoon	Palmer	Thayer
Creamer	Hubbard	Morgan	Parker	Van Petten
Crowley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, as amended by chapter 722 of the Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nichols	Pierce
Campbell	Folger	Kennedy	Nicks	Stanford
Cauldwell	Genet	Mattoon	Palmer	Thayer
Chapman	Hubbard	Morgan	Parker	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to change the corporate name of the First Baptist Church and Society of Hamden and East Walton to the First Baptist Church and Society of Walton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Palmer	Thayer
Campbell	Edwards	Mattoon	Parker	Van Petten
Cauldwell	Genet	Nichols	Stanford	Williams
Chapman	Hubbard	Nicks		

18

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend 'An act establishing a quarantine, and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29th, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Genet	Murphy	Pierce	
Beach	Creamer	Graham	Nichols	Van Petten	10

FOR THE NEGATIVE.

Campbell	Edwards	Kennedy	O'Donnell	Stanford	
Cauldwell	Folger	Mattoon	Palmer	Thayer	
Chapman	Hubbard	Nicks	Parker	Williams	
Crowley	Humphrey				17

Mr. Creamer moved to reconsider the vote just taken, and to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Graham	Morris	Nichols	
Bradley	Genet	Mattoon	Murphy	Pierce	
Creamer					11

FOR THE NEGATIVE.

Cauldwell	Humphrey	O'Donnell	Parker	Van Petten	
Crowley	Kennedy	Palmer	Thayer	Williams	
Folger	Nicks				12

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce	
Beach	Genet	Mattoon	Nichols	Stanford	
Bradley	Graham	Morris			13

FOR THE NEGATIVE.

Campbell	Edwards	Kennedy	O'Donnell	Thayer	
Cauldwell	Folger	Morgan	Palmer	Van Petten	
Chapman	Humphrey	Nicks	Parker	Williams	
Crowley					16

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The bill entitled "An act to make provision for the government of the city of New York," having been announced for a third reading,

Mr. Morris moved to recommit said bill to the committee on municipal affairs, with instruction to insert the following as a substitute for section one:

"§ 1. The board of supervisors of the county of New York are hereby authorized and required as soon as conveniently may be after the passage of this act, and annually in each year thereafter, to order and cause to be levied and raised by tax upon the estates by law subject to taxation within said county, and to be collected according to law, for the use of the mayor, aldermen and commonalty of the city of New York, such specific amounts of money as such board shall adjudge and determine to be necessary for the purpose to be by said board specified for the government of the city of New York."

Pending the question, the hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

The question being upon the motion of Mr. Morris.

Mr. Parker moved to amend the amendment by substituting the following in lieu thereof:

"§ 1. In the year 1870, and in every year thereafter, the sums necessary to be raised for local purposes in the city and county of New York shall be authorized exclusively by a board of eleven persons, consisting of the mayor, comptroller and chamberlain of the city of New York, the president of the board of Metropolitan police, the president of the board of Metropolitan fire commissioners, the president of the board of health, the president of the board of commissioners of public charities and correction, the president of the board of commissioners of Central park, the president of the board of education, the president of the board of supervisors, and the president of the board of aldermen in said city and county; and any person assessed to pay taxes in said city may appear before said board and be heard upon the sums proposed to be raised in said city and county for local purposes; the vote of six members of said board shall be necessary to authorize any sum to be raised for any purpose."

Mr. Tweed moved to amend the amendment, as follows:

Line three, strike out "eleven" and insert "eight." Also, strike out "president of the board of Metropolitan police, president of the board of fire commissioners, president of the board of health."

The President put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cauldwell	Morris	Nichols	Tweed	
Bradley	Edwards				7

FOR THE NEGATIVE.

Campbell	Genet	Mattoon	O'Donnell	Stanford	
Chapman	Graham	Morgan	Palmer	Thayer	
Creamer	Hubbard	Murphy	Parker	Van Petten	
Crowley	Humphrey	Nicks	Pierce	Williams	
Folger	Kennedy	Norton			23

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Nicks	Pierce	
Bradley	Edwards	Morgan	Norton	Tweed	
Cauldwell	Graham	Murphy	Parker		14

FOR THE NEGATIVE.

Campbell	Genet	Kennedy	O'Donnell	Thayer	
Chapman	Hubbard	Morris	Palmer	Van Petten	
Crowley	Humphrey	Nichols	Stanford	Williams	
Folger					16

Mr. Murphy moved to amend the amendment of Mr. Morris by substituting the following in lieu thereof:

"§ 1. From and after the year 1869, the board of supervisors of the city and county of New York shall, in the month of June, in each year, determine the amount to be raised by tax in that year for such city and county purposes as may be authorized by law; provided, however, that

the amount so raised shall not exceed for any such purposes the estimate which shall be made for such purposes respectively by the mayor, comptroller, and chamberlain of the city of New York."

The President put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Morris	Norton		14

FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	16

The President then put the question whether the Senate would agree to said motion of Mr. Morris, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Morris	Norton		14

FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	16

Mr. Van Petten moved to recommit said bill to the committee on municipal affairs, with instructions to strike out of section 1st, under the head of "donations for charitable purposes," lines 115, 116, 117, 118, 119, 120, 121, 122, 126, 128, and 130, as follows:

"Sisterhood of St. Mary of the Episcopal Church, three thousand dollars."

"House of Mercy, Horatio Potter, president, five thousand dollars."

"Sisters of Mercy (see law of 1868, page 2,011), five thousand dollars."

"To the Sisters of Order of St. Dominick (asylum), five thousand dollars."

"St. Francis' Hospital, five thousand dollars."

"St. Joseph's Orphan Asylum, five thousand dollars."

"Hebrew Benevolent Society's Orphan Asylum, five thousand dollars."

"Home for the Friendless in Twenty-ninth street, five thousand dollars."

"Ladies' Union Aid Society, five thousand dollars."

The President put the question whether the Senate would agree to said motion of Mr. Van Petten, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Nicks	Van Petten	Williams			3
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FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce	
Bradley	Genet	Mattoon	Norton	Stanford	
Cauldwell	Graham	Morgan	Palmer	Thayer	
Creamer	Hubbard	Morris	Parker	Tweed	
Crowley	Humphrey	Murphy			23

Mr. Bradley moved to recommit said bill to the committee on municipal affairs, with instructions to insert in line 46, printed bill, before the word "eighty" the words "one hundred and."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Bradley	Crowley	Hubbard	Nichols	Thayer	
Campbell	Edwards	Humphrey	Palmer	Tweed	
Cauldwell	Genet	Kennedy	Parker	Williams	20

FOR THE NEGATIVE.

Chapman	Folger				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley moved that the following entitled bills be made the special order to-morrow, immediately after the reading of the journal, viz:

"An act to make provision for the government of the county of New York."

"An act for the settlement of the adjudicated awards, certified to be due to the militia of the State of New York, who served in the war of 1812."

"An act to incorporate the Niagara Ship Canal Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Stanford moved that the bill entitled "An act to authorize a tax of one and a half mill-per dollar of valuation, for construction of new work upon and extraordinary repairs of the canals of this State," be made the special order on Friday morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. O'Donnell presented a remonstrance against the amendment of Excise law, from German citizens of New York city, which was read and referred to the committee of the whole.

Mr. Nichols presented a remonstrance of inhabitants of the village of Akron, against the passage of bill amending charter, which was read and referred to the committee of the whole.

Mr. Murphy presented a petition of owners of property in the 18th and 20th wards, in the city of Brooklyn, in favor of the passage of the bill to drain said wards, which was read and referred to the committee on municipal affairs.

Also, two remonstrances of owners of land on Fourth place, in the city of Brooklyn, against any reduction of the width of said place, which were read and referred to the committee on municipal affairs.

Also, a petition of Jacob H. Sackman and others to lay out Fulton avenue, in New Lots, which was read and referred to the committee on roads and bridges.

Mr. Edwards presented a remonstrance of inhabitants of Ravenswood, against macadam road from Hunter's Point to Astoria, Queens county, which was read and referred to the committee on roads and bridges.

Also, a remonstrance of inhabitants of Brookhaven, Riverhead, Southold and Islip, in Suffolk county, against the erection of new county of Nassau, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Tweed presented two petitions of citizens of New York to improve the canals to their maximum capacity for transportation, which were read and referred to the committee on canals.

Mr. Creamer moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	Palmer	5
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FOR THE NEGATIVE.

Campbell	Graham	Morris	O'Donnell	Thayer	
Chapman	Hubbard	Nichols	Parker	Tweed	
Crowley	Humphrey	Nicks	Pierce	Van Petten	
Edwards	Morgan	Norton	Stanford	Williams	
Folger					21

Mr. Folger offered the following:

Resolved, (if the Assembly concur.) That the Legislature on Tuesday the 27th instant, at 12 o'clock at noon, proceed to elect a Regent of the University in place of Isaac Parks, deceased.

Also, the following:

Resolved, (if the Assembly concur.) That the Legislature on Tuesday the 27th instant, at 12 o'clock at noon, proceed to elect a Commissioner of the Metropolitan police district in place of Thomas C. Acton, who is about to resign.

Ordered, That said resolutions be laid on the table.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases."

"An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867."

Assembly, "An act for the relief of the Chamberlain Institute."

"An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864."

Assembly, "An act for the benefit of the union school, in Hamilton, New York, passed 1862."

"An act for the relief of the Inebriates' Home for Kings county."

Assembly, "An act to authorize the erection of a Soldiers' and Sailors' Monument in the city of New York, and to authorize the raising of money therefor."

Assembly, "An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2, 1859."

Assembly, "An act to incorporate the Ladies' Washington Association of Hempstead, Queens county."

"An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons."

Assembly, "An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824."

Assembly, "An act to incorporate the Wayside Industrial Home in the city of New York."

Assembly, "An act to incorporate the Masonic Hall Association of the village of Hornellsville."

"An act to amend the charter of the Fireman's Trust Insurance Company of Brooklyn."

Assembly, "An act to authorize the town of Rome, Oneida county, to issue bonds and purchase fair grounds in said town."

"An act in relation to the Western Insurance Company in the city of Buffalo."

Assembly, "An act to authorize the establishment of a law department in St. Lawrence University."

Assembly, "An act in relation to a tax on dogs in the city of Rochester and the several towns in the county of Monroe."

"An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' passed April 30, 1864."

Assembly, "An act to amend an act passed 1860, chapter 359, establishing a free school in district No. 4, town of Oyster Bay, Queens county."

Assembly, "An act to authorize the village of Adams to issue bonds for the purpose of aiding in the rebuilding of the Hungerford Collegiate Institute, and to levy a tax for the payment of the same."

Assembly, "An act for the relief of the Fulton County Agricultural Society."

Assembly, "An act to confirm the official acts of certain town officers in the county of Westchester."

"An act to amend an act entitled 'An act to incorporate the Security Savings Bank of Buffalo,' passed April 29, 1868."

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857, and revived by an act passed April 20, 1867."

"An act to authorize the payment of certain moneys into the treasury of this State."

"An act in relation to the general city tax to be raised in the city of Buffalo for the year 1869."

Assembly, "An act relating to public alleys in the city of Albany."

"An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn."

Assembly, "An act to incorporate the Margarettsville Retreat for the Insane."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Tweed offered the following:

Resolved, (if the Assembly concur,) That the Governor, by and with the advice and consent of the Senate, be authorized to appoint a board of commissioners, composed of three civil engineers and two civilians, who shall examine into the present condition of our canals for transportation, and report to the next Legislature the most economical plan for their improvement to their maximum capacity.

Ordered, That said resolution be laid on the table.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Creamer	Genet	Kennedy	5
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FOR THE NEGATIVE.

Campbell	Graham	Murphy	O'Donnell	Thayer	
Chapman	Hubbard	Nichols	Parker	Tweed	
Crowley	Humphrey	Nicks	Pierce	Van Petten	
Edwards	Morgan	Norton	Stanford	Williams	
Folger	Morris				22

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tweed, and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Kennedy	Norton	Thayer	
Cauldwell	Graham	Morris	Palmer	Tweed	
Crowley	Hubbard	Nichols	Parker	Van Petten	
Edwards	Humphrey	Nicks	Pierce	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act releasing to the owners of adjoining lands parts of certain streets in the south village of Black Rock," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation," with power to report complete, reported the same complete with amendments.

Mr. Creamer moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Syracuse," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enlarge the boundaries of the city of Auburn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer moved that the Senate now adjourn..

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	Williams	5
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FOR THE NEGATIVE.

Campbell	Folger	Morris	Nicks	Thayer	
Chapman	Graham	Murphy	O'Donnell	Tweed	
Crowley	Humphrey	Nichols	Parker	Van Petten	
Edwards	Morgan				17

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of McGrawville, Cortland county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Chateaugay, in the county of Franklin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865;" and Senate bill entitled "An act to alter the commissioners' map of the city of Brooklyn;" also Senate bill entitled "An act to amend the several acts to alter the commissioners' map of the city of Brooklyn, passed May 12, 1846, and May 1, 1865, and further to alter said map," with power to report complete, reported that they have made sundry amendments thereto, consolidated the same into one act, and amended the title thereof so as to read as follows: "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865, and further to alter said map," and as amended, report the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy moved that the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12th, 1846, and the acts amendatory thereof, passed April 10th, 1850, and April 14th, 1852," be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the 'Storm

King Fire Engine Company No. 2 of Cornwall Landing, Orange county, and State of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in reference to the exemption of the firemen of the village of Rome from taxation, in the same manner as members of the National Guard," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate Monitor Hose Company No. 6, of the city of Utica," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close part of the Hunterfly road, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely: Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the abatement of a public nuisance at Auburn," reported adversely thereto.

Mr. Williams moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Morris	Norton	Thayer	
Edwards	Kennedy	Nichols	O'Donnell	Van Petten	
Genet	Morgan	Nicks	Pierce	Williams	15

FOR THE NEGATIVE.

Banks	Crowley	Humphrey	Palmer	Parker	
Creamer	Folger	Murphy			8

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relative to the village of Ballston Spa," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to increase the 'City Fund' of the city of Utica," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to further amend an act entitled 'An act to provide for the widening of Fourth avenue, in the city of Brooklyn, and to establish a public drive and promenade on said avenue,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the construction of a drain or sewer in Central avenue, Johnson avenue and Knickerbocker avenue, and other streets in the city of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open and improve Twenty-fifth street, in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Attica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amendatory thereof," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Tottenville, in the town of Westfield, county of Richmond," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to close a portion of old Bushwick road or avenue, between Remsen street and Meserole street, and between Boerum street and McKibben street," reported in favor of

the passage of the same, and said bill was committed to the committee of the whole.

Mr. Graham, from a majority of the committee on railroads, to which was referred the bill entitled "An act to incorporate the Arcade Railway Company, and to provide for the construction of an arcade railway in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell stated his dissent from said report, which was ordered entered on the journal.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Equitable Savings Institution of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Genet, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the extension of tracks of the Dry Dock, East Broadway and Battery Railroad Company, in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Messrs. Campbell and Morgan dissented from said report, which was ordered entered on the journal.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend section 428 of an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the 'Code of Procedure,'" reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings in the courts of this State,' passed April 12, 1848," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Morris dissented from said report, which dissent was ordered entered on the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate Farmer Hall Association of Farmer village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Durhamville, Oneida county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to regulate the term of office of notaries public" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the Assembly bill entitled "An act in relation to the Eclectic Medical College of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15th, 1837, and the several acts amendatory

thereof, passed March 20th, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Messrs. Morgan and Parker, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railway in Twenty-third street, and other streets and avenues in the city of New York," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize the construction of a railroad in Twenty-third street, in the city of New York," and as amended reported the same to the Senate for its consideration.

Messrs. Campbell, Graham and Genet dissented from said report.

Mr. Parker moved that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the Assembly bill entitled "An act regulating the preparation of medical prescriptions," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out, construct and maintain a public road from the foot of East Second street, in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county,' passed May 1, 1868, and supplemental thereto," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens,' passed April 29, 1868, and supplemental thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to create a special highway district in the town of Elizabethtown, Essex county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the highway law in regard to the manner of working public highways by commutation or otherwise, in the county of Columbia," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to

incorporate the Ramapo Land and Water Company at Suffern, Rockland county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 488 of the Session Laws of 1868, entitled 'An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county,' passed April 30, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the purchase and use of patented rights in certain cases," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act passed April 28, 1865, entitled 'An act to amend the act entitled 'An act establishing a quarantine and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley moved that the committee on municipal affairs be discharged from the further consideration of the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the laying out and opening of a public highway in the town of Newburgh,' passed April 30, 1868," and that the same be referred to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Marathon, Cortland county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to amend the incorporation of the village of Fairport, in the county of Monroe,' passed April 12th, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to complete the High Service Water Works at Carmansville, in the city of New York, and to provide means for the same,' passed April 3, 1867; and also, to amend an act entitled 'An act to facilitate the acquisition of lands for the extension of the Croton Aqueduct Water Works, and for the construction of impounding or storage reservoirs, in the counties of Putnam and Westchester, and to authorize the mayor, aldermen and commonalty of the city of New York to borrow \$300,000 for the purpose aforesaid,' passed April 3,

1865; and also to amend an act entitled 'An act to authorize the corporation of the city of New York to borrow further sums of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of the legal representatives of William Baldwin, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to alter the map or plan of the city of New York by extending Madison avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend 'An act to more particularly define the duties of overseer of highways,' passed May 9, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the laws relative to banking, and to grant facilities to associations for establishing banks equal to those afforded by the national currency act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend chapter 281 of the Laws of 1845, entitled 'An act declaring a part of the Big Brokenstraw creek a public highway,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend the act to incorporate the Auburn Literary Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to incorporate the Jamaica Bay Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of George Northrup, and A. and W. E. Duryea," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to erect a new county from parts of the counties of Queens and Suffolk, to be called the county of Nassau, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on erection and division of towns and counties.

"An act to revise the charter of the village of Union Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of West Mount Vernon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to restrain dogs from running at large in the county of Rockland," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Bergh Choral Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to create the New York Guaranty Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of Lucy Pickard and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Thomas T. Hunter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Charles A. Donaldson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Willover & Hawley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Charles H. Gage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to revive and continue in force an act entitled 'An act to prevent the introduction and spread of the disease known as the Rinderpest, and for the protection of the flocks and herds of sheep and cattle in this State from destruction by this and other infectious diseases,' passed April 20, 1866, and the act amending the same passed April 19, 1867, and to extend the provisions thereof."

"An act to amend an act entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868."

"An act to authorize the towns of Yonkers and East Chester, in the county of Westchester, to widen, make, extend and improve several highways in said towns."

"An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24th, 1849."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the fire department of the city of Binghamton."

"An act authorizing the Richmondville and Summit Plankroad Company to abandon all that part of their road lying south of Summit Four Corners, and declaring said road a public highway, or to sell any portion of said road necessary."

"An act authorizing the corporation of the city of Troy to borrow moneys and issue bonds therefor for the extension of the water works of said city."

"An act to provide a charter for the village of Oneida."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Genet, the Senate adjourned.

THURSDAY, APRIL 22, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to wills, passed April 23, 1864.'"

"An act for the relief of the Inebriates' Home for Kings county."

"An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' passed April 30, 1864."

"An act in relation to the Western Insurance Company in the city of Buffalo."

"An act to amend an act entitled 'An act to incorporate 'The Security Savings Bank of Buffalo,' passed April 29, 1868."

"An act in relation to the general city tax to be raised in the city of Buffalo for the year 1869."

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15th, 1857, and revived by an act passed April 20th, 1867."

"An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn."

"An act to authorize the payment of certain moneys into the treasury of this State."

"An act to repeal chapter 812 of the Laws of 1868, entitled 'An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wallkill river,' passed May 11, 1868."

"An act to amend an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1869."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2d, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Morris	Pierce
Cauldwell	Hale	Mattoon	Nicks	Stanford
Crowley	Hubbard	Morgan	Parker	Van Petten
Edwards	Humphrey			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Stanford
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Edwards	Humphrey	Morris	Pierce	Williams
Folger	Kennedy			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Wayside Industrial Home in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Morris	Stanford
Cauldwell	Folger	Kennedy	Nicks	Van Petten
Chapman	Hale	Mattoon	Parker	Williams
Crowley	Hubbard	Morgan	Pierce	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Ladies' Washington Association of Hempstead, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Stanford
Campbell	Hale	Mattoon	Nicks	Van Petten
Cauldwell	Hubbard	Morgan	O'Donnell	Williams
Chapman	Humphrey	Morris	Pierce	

19

FOR THE NEGATIVE.

Folger	Parker			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of the Fulton County Agricultural Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nichols	Stanford
Cauldwell	Hale	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams
Crowley	Humphrey	Morris	Pierce	19

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the benefit of the Union school, in Hamilton, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Mattoon	Nicks	Thayer
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Chapman	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy			17

FOR THE NEGATIVE.

Folger	Hale	Morris	O'Donnell	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate 'The Security Savings Bank of Buffalo,' passed April 29, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Morris	Parker
Campbell	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Folger	Mattoon	Nicks	Van Petten
Chapman	Hale	Morgan	O'Donnell	Williams
Creamer				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15th, 1857, and revived by an act passed April 20th, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Kennedy	Parker	Tweed
Campbell	Edwards	Mattoon	Stanford	Van Petten
Cauldwell	Folger	Morris	Thayer	Williams
Chapman	Genet	O'Donnell		18

FOR THE NEGATIVE.

Hale

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the payment of certain moneys into the treasury of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nichols	Stanford
Campbell	Folger	Mattoon	Nicks	Thayer
Cauldwell	Genet	Morgan	O'Donnell	Tweed
Chapman	Hale	Morris	Parker	Van Petten
Crowley	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to wills,' passed April 23, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Morris	Pierce
Cauldwell	Folger	Kennedy	Nichols	Stanford
Chapman	Genet	Mattoon	Nicks	Thayer
Creamer	Hale	Morgan	Parker	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the Inebriates' Home for Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Murphy	Stanford
Campbell	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	O'Donnell	Tweed
Creamer	Graham	Morgan	Parker	Van Petten
Crowley	Hale	Morris	Pierce	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the erection of a Soldiers' and Sailors' Monument in the city of New York, and to authorize the raising of money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Morgan	Parker
Campbell	Folger	Hubbard	Morris	Stanford
Cauldwell	Genet	Humphrey	Nichols	Tweed
Chapman	Graham	Mattoon	O'Donnell	Van Petten
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Masonic Hall Association of the village of Hornellsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morgan	Palmer
Bradley	Crowley	Hale	Morris	Parker
Campbell	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Margarettsville Retreat for the Insane," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nichols	Stanford
Campbell	Crowley	Mattoon	Palmer	Thayer
Cauldwell	Edwards	Morgan	Parker	Van Petten
Chapman	Graham	Morris	Pierce	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the general city tax to be raised in the city of Buffalo for the year 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Nicks	Thayer
Cauldwell	Genet	Mattoon	Parker	Van Petten
Chapman	Graham	Morgan		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Western Insurance Company in the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Morris	Parker
Campbell	Genet	Kennedy	Nichols	Stanford
Cauldwell	Graham	Mattoon	Nicks	Thayer
Edwards	Hale	Morgan	O'Donnell	Van Petten

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nichols	Stanford
Bradley	Edwards	Morgan	Nicks	Thayer
Campbell	Folger	Morris	Parker	Tweed
Cauldwell	Genet	Murphy	Pierce	Van Petten
Chapman	Hale			

22

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' passed April 30, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Edwards	Humphrey	Palmer	Thayer
Campbell	Folger	Kennedy	Parker	Tweed
Cauldwell	Genet	Morgan	Pierce	Van Petten
Chapman	Graham	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the village of Adams to issue bonds for the purpose of aiding in the rebuilding of the Hungerford Collegiate Institute, and to levy a tax for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Bradley	Folger	Humphrey	O'Donnell	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Van Petten
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the establishment of a law department in St. Lawrence University," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Morgan	Parker	Thayer
Bradley	Edwards	Morris	Pierce	Tweed
Campbell	Hale	O'Donnell	Stanford	Van Petten
Cauldwell	Hubbard	Palmer		

18

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to a tax on dogs in the city of Rochester and the several towns in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	Parker	Tweed
Cauldwell	Hubbard	Morgan	Pierce	Van Petten
Edwards	Humphrey	Morris	Stanford	Williams
Folger	Kennedy	Palmer	Thayer	

19

FOR THE NEGATIVE.

Creamer

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to confirm the official acts of certain town officers in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Palmer	Thayer
Bradley	Folger	Kennedy	Parker	Tweed

Campbell	Genet	Morris	Pierce	Van Petten
Cauldwell	Graham	Nichols	Stanford	Williams
Creamer	Hubbard			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act passed 1860, chapter 359, establishing a free school in district No. 4, town of Oyster Bay, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nichols	Thayer
Bradley	Edwards	Kennedy	Parker	Tweed
Campbell	Genet	Mattoon	Pierce	Van Petten
Cauldwell	Hubbard	Morgan	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the concurrent resolution relative to the proposed amendment of the 13th joint rule, with a message that they had concurred in the passage of the same without amendment.

The Assembly also returned the concurrent resolution requesting His Excellency the Governor to return the Senate bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate in the city and county of New York," with a message that they had passed the same without amendment.

The Governor having returned, pursuant to a resolution of the Senate, the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plank-road Company to construct a railroad on and near its present route,' passed May 19, 1868.'"

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Bradley	Folger	Kennedy	O'Donnell	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morris	Pierce	Williams
Creamer	Hubbard	Nichols		23

Mr. Kennedy moved to recommit said bill to the committee on railroads for purpose of amendment.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Governor having returned the bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate in the city and county of New York," pursuant to a concurrent resolution of the Legislature.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce
Bradley	Folger	Mattoon	Nicks	Stanford
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard			

22

Mr. Tweed moved to recommit said bill to the committee on the judiciary for purpose of amendment.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 20, 1889.*

The Governor having returned the bill entitled "An act to revise the charter of the city of Auburn," pursuant to a resolution of the Assembly, and the vote upon the final passage of the same having been reconsidered; on motion of Mr. Selkreg, and by unanimous consent, said bill was amended as follows:

Strike out the word "qualified" in line 13, section 100, and insert the word "legal."

Strike out from and including the word "every" on 22d line of said section to and including the word "aforesaid" in the 31st line of said section.

Also, strike out in line 35 the word "qualified" and insert the words "lawfully entitled."

Also, in line 43 of said section, strike out from and including the words "if any" to and including the words "shall be refused" in line 50 of said section 100.

Said bill, as amended, was read a third time and passed, and ordered sent to the Senate for concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Chapman	Graham	Mattoon	Nicks	Thayer
Creamer	Hale	Morgan	O'Donnell	Tweed
Edwards	Hubbard	Morris	Parker	Van Petten
Genet	Kennedy	Nichols	Stanford	Williams

20

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Parker	Tweed
Cauldwell	Hale	Morgan	Pierce	Van Petten

Chapman	Hubbard	Morris	Stanford	Williams	
Edwards	Kennedy	Nicks	Thayer		19

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act for the relief of Erasmus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley," with a message that they had passed the same with the following amendments:

Strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Kennedy	Morris	Nicks	Van Petten	
Graham	Mattoon	Nichols	Tweed	Williams	
Hubbard	Morgan				12

FOR THE NEGATIVE.

Cauldwell	Edwards	Genet	Parker	Thayer	
Chapman	Folger	Hale			8

Mr. Nicks moved that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, on the part of the Senate, Senators Nicks, Hale and Creamer.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and appointed a committee of conference, and request a like committee on their part.

Mr. Mattoon, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend the act incorporating the village of Carthage, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the city of Watertown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the act incorporating the village of Port Leyden, in the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act supplementary to an act entitled 'An act for the relief of Elizabeth Craft, the widow of Edwin Craft,' passed April 18, 1869," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 513 of the Session Laws of 1868, entitled 'An act to confirm the title of certain persons to real estate questioned by reason of the alienism of former owners,' passed May 1st, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Williamsburgh Safe Deposit Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to organize the Fire Department of the village of Lowville,' passed April 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to extend the powers of the boards of supervisors, except in the counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the appraisal and payment of canal damages to James H. Gilchrist, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to ratify the consent of the Seneca nation of Indians to the location of a mill dam at Irving," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to incorporate the Brooklyn City Market Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which John Bannon died seized to Catharine Bannon his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the town of Gouverneur, in the county of St. Lawrence, to raise money to pay for erecting a watering trough in said town, and to supply the same with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act,' passed May 2, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the laying out and constructing a road from Pitcairn, St. Lawrence county, to Diana, Lewis county, and apply the tax on certain lands along the line of said road to pay the expenses of laying out and constructing the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to further amend the act entitled 'An act to establish the

Dutchess Turnpike Company,' passed April 15, 1802, by authorizing the partial surrender to the city of Poughkeepsie of that portion of the turnpike lying within its limits," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend the provisions of chapter 463 of the Laws of 1853, in relation to life and health insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend the charter, and to confer additional powers upon the trustees of the village of Jamaica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act for the incorporation of villages,' passed December 7, 1847, so far as the same is applicable to the village of Canandaigua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Ione Yacht Club in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Richland, Oswego county, to purchase the toll bridge across the Salmon river at Port Ontario, in said town, and to maintain the same as a free bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act relative to the compensation of the assessors of the town of Watervliet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the reconstruction of a dam on the Seneca river, at Baldwinsville, for canal purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the 'South Side Railroad Company of Long Island' to build one or more branches from its main track to Newtown Creek, and to operate its road with an improved steam dummy, within the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the construction of an iron bridge over the Genesee Valley canal, in the village of Portageville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to construct a public road from or near the head of Grand street, in the city of Brooklyn, to the village of Jamaica, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 41 of the Laws of 1864, entitled 'An act in relation to the Commissioners of Metropolitan police of the Metropolitan police district of the State of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Graham moved to take from the table the Assembly bill entitled

"An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104 of Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866.'"

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Graham moved that said bill be recommitted to the committee on banks.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

"An act to make provision for the government of the county of New York."

"An act for the settlement of the adjudicated awards, certified to be due to the militia of the State of New York, who served in the war of 1812."

"An act to incorporate the Niagara Ship Canal Company."

After some time spent therein the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Humphrey, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Nichols moved that said bill be made the special order to-morrow, after the special order already ordered.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Tweed, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city through the lands of the Big Rock Cemetery Association."

Assembly, "An act to alter the map or plan of the city of New York."

Assembly, "An act to appropriate certain moneys of the town of Bradford, in the county of Steuben."

Assembly, "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the county of Putnam."

Assembly, "An act to amend the charter of the Home Life Insurance Company, the certificate of the incorporation of which was filed April 28, 1860, under the provisions of an act entitled 'An act to provide for the incorporation of life and health insurance companies,' passed June 24th, 1853, and the acts amendatory thereof."

Assembly, "An act to amend an act entitled 'An act for the regulation of public cemeteries in Saratoga county.'"

Assembly, "An act to authorize the directors of the 'Brooklyn Club' to make by-laws and perform other acts."

Assembly, "An act to amend the charter of the 'Great Western Life Insurance Company of New York.'"

Assembly, "An act to amend an act entitled 'An act to authorize the

laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens,' passed March 19, 1861."

Assembly, "An act to lay out, open and grade an avenue in the towns of Flatbush and New Utrecht, in continuation of Franklin avenue of Flatbush."

Assembly, "An act to provide for the construction and maintenance of a bridge over the Tioughnioga river, in the town of Cuyler, Cortland county."

Assembly, "An act to change the name of the Wesleyan Methodist Episcopal Zion Church Society of the city of Troy."

Assembly, "An act to amend the charter of the city of Brooklyn."

"An act to authorize the board of education of union free school district No. 5, in the town of Rhinebeck, Dutchess county, to borrow money to build a school-house in said district."

Assembly, "An act relative to common schools in the city of New York."

Assembly, "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city."

"An act to incorporate the Tontine Mutual Savings Bank of the city of New York."

Assembly, "An act to amend an act entitled 'An act to incorporate the Fulton and Montgomery County Farmers' Mutual Fire Insurance Association,' passed April 13, 1855."

"An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the laws of the province of Canada, or which shall hereafter be incorporated by the laws of the Dominion of Canada."

Assembly, "An act relating to the Jordan academy and free school district No. 4, in the town of Elbridge in the county of Onondaga."

Assembly, "An act to authorize the towns of Westchester and West Farms to construct a highway in said towns, to be known as 'The Fordham and Pelham avenues.'"

Assembly, "An act authorizing the village of Addison, in the county of Steuben, to extend its corporate limits and to establish fire limits."

Assembly, "An act authorizing the village of Morrisville to raise money for certain purposes."

Assembly, "An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue."

Assembly, "An act to incorporate the Farmer Hall Association of Farmer village."

Assembly, "An act to incorporate the Ramapo Land and Water Company, at Suffern, Rockland county."

The President put the question whether the Senate would agree to the report of the committee on all except the Assembly bill entitled "An act relating to common schools in the city of New York," and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Crowley moved that the bill entitled "An act relating to common schools in the city of New York," be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Beach withdrew his dissent from the report of the committee on roads and bridges upon the Assembly bill entitled "An act requiring the

Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line."

Mr. Thayer presented a petition of Roy & Co., L. D. Collins and other tax-payers of West Troy, for the passage of a bill to legalize certain acts of Richard F. Hall and others, which was read and referred to the committee on the judiciary.

Mr. Murphy presented a remonstrance of the common council of the city of Brooklyn against any increase of the salary of the justices of sessions of Kings county, which was read and laid on the table.

Mr. Van Petten presented a remonstrance of Bishop Scott and members of the Central New York Conference against amendment of Excise law, which was read and referred to the committee of the whole.

Mr. Nichols presented a petition of citizens of Akron for amendment of charter, which was read and referred to the committee on municipal affairs.

Mr. Mattoon presented a remonstrance of citizens of Chittenango against amendment of Excise law in the Metropolitan district.

Mr. O'Donnell moved that said remonstrance be laid on the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said remonstrance was then read and referred to the committee of the whole.

Mr. Thayer presented a memorial of Gordon N. Squiers, showing the collection of extortionate and illegal fare on the Erie Railway, and asking legislative action in the premises.

Mr. Thayer moved that said memorial be read.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Genet	Morris	Palmer	Tweed
Cauldwell	Graham	Nichols	Parker	Van Petten
Chapman	Hubbard	Nicks	Pierce	Williams
Crowley	Humphrey			

22

FOR THE NEGATIVE.

Creamer	Hale	Mattoon	3
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Said memorial was then read and referred to the committee on railroads.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 41 of the Laws of 1864, entitled 'An act in relation to the Commissioners of the Metropolitan police district of the State of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park from Atlantic avenue in said city," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was

referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie and for sewers therein,' passed April 12, 1867, and to repeal chapter 475 of the Laws of 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860, and also to amend an act entitled 'An act to amend an act entitled 'An act revising the charter of the city of Oswego,' passed May 9, 1867,' " reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the president of the board of water commissioners of the village of Cohoes to administer oaths," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for laying out, opening and maintaining a public street or highway in the village and town of Lyons, in the county of Wayne," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to pave, macadamize, grade and widen certain streets in the village of Fonda, and to raise money and appoint a superintendent for the same, and for poll tax," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the incorporation of the village of Fairport, in the county of Monroe,' passed April 12, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to further amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall,' reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the Mill Brook Log Company to improve Mill Brook, in the county of Warren, leading from Lake Pharaoh to Schroon lake, by the erection of dams and otherwise, and to provide for appointing appraisers

to appraise the damages that may accrue to land-owners along the said stream on account of the use of and running of logs by said company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the town of Gouverneur, in the county of St. Lawrence, to raise money to pay for erecting a watering trough in said town, and to supply the same with water," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the town of Ellisburgh, in the county of Jefferson, to raise money to build a town house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable the electors of the town of Wilna, in the county of Jefferson, to vote by districts for town officers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the town auditors of the town of Ellington, Chautauqua county, to audit the accounts, costs and damages of the late commissioners of highways of said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to restrain dogs from running at large in the county of Rockland," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to fix the term of office of the keeper of the county court house in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to fix the time of holding the annual town meetings in the several towns of Erie county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the amendments of the Assembly to the bill entitled "An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859," reported the same to the Senate and recommend their concurrence therein.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nichols	Parker
Campbell	Folger	Kennedy	Nicks	Thayer
Cauldwell	Graham	Mattoon	O'Donnell	Van Petten

Chapman	Hale	Morgan	Palmer	Williams	
Creamer	Hubbard	Morris			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to lengthen the terms of office of the recorder, city judge and surrogate in the city and county of New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to fix the duration of the terms of office of the recorder, city judge and surrogate in the city and county of New York," and as amended, recommend its passage.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nichols	Tayer	
Bradley	Genet	Humphrey	Norton	Tweed	
Cauldwell	Graham	Mattoon	Parker	Van Petten	
Chapman	Hale	Morgan	Pierce	Williams	
Creamer					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State in the real estate of which Mary Baird, late of Ithaca, Tompkins county, N. Y., died seized to Mary Jane Drake, of said town," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to ratify the consent of the Seneca Nation of Indians to the location of a mill dam at Irving," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to incorporate the New York Insurer's Indemnity Company of the city of New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the Guardians' Insurance Indemnity Company," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 321 of the Laws of 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to authorize the imprisonment of convicts in the penitentiaries of Syracuse and Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act

to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to protect butter and cheese manufacturers,' passed May 2d, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the laying out and constructing a road from Pitcairn, St. Lawrence county, to Diana, Lewis county, and apply the tax on certain lands along the line of said road to pay the expenses of laying out and constructing the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the laying out and opening of a public highway in the town of Newburgh,' passed April 30th, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend 'An act to more particularly define the duties of overseer of highways,' passed May 9, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to fix the bail of the overseer of highways of the town of Hamburg, in the county of Erie," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Whiteport Plankroad Company to change the route of such road at certain points, and also to lay an iron track for certain uses along their plankway," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to further amend the act entitled 'An act to establish the Dutchess Turnpike Company,' passed April 15, 1802, by authorizing the partial surrender to the city of Poughkeepsie of that portion of the turnpike lying within its limits," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Scio, in the county of Allegany, to enter upon lands adjacent to highways, in said town of Scio, for the purpose of fortifying to protect the roads and bridges in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Abingdon Square Sav-

ings Bank of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866," reported that they have made some amendments thereto and amended the title as follows: "An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866, and further to amend section 5 of said act of 1866," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the contract of Myron H. Mills on the Genesee Valley canal, and the work connected therewith," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford dissented from said report, and requested the same to be entered upon the journal.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to regulate and fix the salaries of certain members of the Capital police force, and to provide for the payment thereof," reported that they have made some amendments thereto, and amended the title as follows: "An act to amend an act entitled 'An act to regulate and fix the salaries of certain members of the Capital police force, and to provide for the payment thereof,' passed April 25, 1867," and as amended recommend its passage; said bill was committed to the committee of the whole.

Senators Crowley and Kennedy stated their dissent from said report.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act in relation to the Mount Olivet Baptist Church, Yonkers, New York, and to change the name thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Poughkeepsie,' passed March 28th, 1854," reported in favor of the passage of the same with amendments.

On motion of Mr. Palmer, and by unanimous consent, the rules were suspended and said bill recommitted to the committee on municipal affairs, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the payment of appropriations heretofore made to the dispensary of the Troy Hospital," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend chapter 281 of the Laws of 1845, entitled 'An act declaring a part of the Big Brokenstraw creek a public highway,' passed May 14th, 1845," reported

in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon dissented from said report, and requested his dissent entered upon the journal.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 846 of the Laws of 1868, incorporating the Milton Ferry Company," passed June 2d, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon stated his dissent from said report, and requested that the same be entered upon the journal.

On motion of Mr. Norton and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to establish an asylum for orphan, friendless and illegitimate children of German origin," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Pierce and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act entitled an act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30th, 1866, and May 6th, 1868," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Mattoon moved that the bill entitled "An act in relation to the water front of the city of New York," be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

On motion of Mr. Humphrey and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of Attica," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls,' passed May 6th, 1868, and to secure the north bank of said canal," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend chapter 233 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company, empowering it to apply for appraisal of land on complying with certain conditions,' passed April 2, 1867.'"

"An act to provide for submitting the amended Constitution to the electors of the State."

"An act to provide for the appointment of an additional number of notaries public in the city of New York, and in the several Assembly districts of this State."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Nichols	Parker	
Campbell	Edwards	Kennedy	Nicks	Pierce	
Cauldwell	Genet	Mattoon	O'Donnell	Williams	
Creamer	Graham	Morgan			18

FOR THE NEGATIVE.

Folger	Humphrey	Norton	Stanford	Tweed	
Hubbard	Morris	Palmer	Thayer		9

Whereupon the Senate adjourned.

FRIDAY, APRIL 23, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Riley.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend the charter of the Firemen's Trust Insurance Company of Brooklyn."

"An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7th, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the Laws of the Province of Canada, or which shall hereafter be incorporated by the Laws of the Dominion of Canada."

"An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation."

"An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases."

"An act to make provision for the government of the county of New York."

"An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867."

By unanimous consent, Mr. Edwards moved that the committee on municipal affairs be discharged from the further consideration of the bill entitled "An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," and that the same be referred to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend the charter of the 'Great Western Life Insurance Company of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morgan	Parker
Campbell	Folger	Kennedy	Nichols	Stanford
Chapman	Graham	Mattoon	O'Donnell	Williams
Crowley	Hale			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the charter of the Firemen's Trust Insurance Company of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Campbell	Folger	Mattoon	O'Donnell	Stanford
Cauldwell	Graham	Morgan	Palmer	Williams
Chapman	Humphrey			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the directors of the 'Brooklyn Club' to make by-laws and perform other acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Parker
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	O'Donnell	Williams
Cauldwell	Graham			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Fulton and Montgomery County Farmers' Mutual Fire Insurance Association,' passed April 13, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Morgan	Stanford
Campbell	Graham	Kennedy	O'Donnell	Thayer

Cauldwell	Hale	Mattoon	Parker	Williams	17
Edwards	Hubbard				

FOR THE NEGATIVE.

Chapman	Nichols				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Farmer Hall Association of Farmer village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Humphrey	Nichols	
Beach	Creamer	Graham	Mattoon	Thayer	
Bradley	Crowley	Hubbard	Morgan	Williams	
Cauldwell	Edwards				17

FOR THE NEGATIVE.

Campbell	Hale	Kennedy	O'Donnell	Parker	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Ramapo Land and Water Company, at Suffern, Rockland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morgan	Stanford	
Beach	Folger	Kennedy	Nichols	Thayer	
Cauldwell	Graham	Mattoon	Parker	Williams	
Creamer	Hubbard				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Rome, Oneida county, to issue bonds and purchase fair grounds in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Parker	
Beach	Edwards	Hubbard	Morgan	Stanford	
Bradley	Folger	Humphrey	Nichols	Van Petten	
Campbell	Graham	Kennedy	O'Donnell	Williams	
Cauldwell					21

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9th, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Folger	Humphrey	Parker
Beach	Chapman	Graham	Kennedy	Stanford
Bradley	Creamer	Hale	Nichols	Thayer
Campbell	Edwards	Hubbard	Nicks	Van Petten

20

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Edwards	Humphrey	Nicks	Thayer
Campbell	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Graham	Mattoon	Parker	Williams
Chapman	Hale	Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relating to public alleys in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	Parker
Beach	Chapman	Hubbard	Murphy	Stanford
Bradley	Edwards	Mattoon	Nichols	Van Petten
Campbell	Graham	Morgan	Nicks	

19

FOR THE NEGATIVE.

Folger

Kennedy

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of the Chamberlain Institute," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nicks	Thayer
Bradley	Graham	Mattoon	Palmer	Van Petten
Cauldwell	Hubbard	Morris	Stanford	Williams
Chapman	Humphrey			

17

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend, consolidate and re-enact an act entitled 'An act to incorporate the village of Edgewater,' passed March 22d, 1866, and an act amending the same, passed April 22d, 1867, and to extend the powers of the corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Stanford
Beach	Graham	Kennedy	Murphy	Thayer
Chapman	Hale	Mattoon	Nicks	Van Petten
Crowley	Hubbard	Morgan	Parker	Williams

20

FOR THE NEGATIVE.

Creamer O'Donnell

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to define and amend 'An act in relation to abandoned canals,' passed April 6, 1857, being chapter 267 of said Laws," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Stanford
Beach	Edwards	Kennedy	Nichols	Thayer
Bradley	Graham	Mattoon	Nicks	Van Petten
Cauldwell	Hubbard	Morgan	Parker	Williams
Creamer				

21

FOR THE NEGATIVE.

Folger O'Donnell

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the towns of Westchester and West Farms to construct a highway in said towns, to be known as 'The Fordham and Pelham avenues,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Pierce
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	Parker	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to change the name of the Wesleyan Methodist Episcopal Zion Church Society of the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Campbell	Graham	Kennedy	O'Donnell	Van Petten
Cauldwell	Hale	Mattoon	Parker	Williams
Crowley	Hubbard	Nichols	Stanford	

19

FOR THE NEGATIVE.

Chapman	Folger
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24th, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," having been announced for a third reading,

Mr. Murphy moved to recommit the same to the committee on insurance, with instructions to amend section 2 by adding thereto the following :

"Providing that any company electing to make any special deposits, as authorized by this act, shall do so in respect to all policies hereafter issued, and not for a portion of them only."

Also, strike out on line 38, section 9, the words "applied first" and insert "then applied."

Also, strike out all of said section 10 after the word "business" in line 39.

The President put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Parker	Thayer
Bradley	Folger	Murphy	Pierce	Tweed
Campbell	Genet	Nichols	Stanford	Van Petten
Crowley	Hale	O'Donnell		

8

FOR THE NEGATIVE.

Chapman	Creamer	Hubbard	Nicks	Williams
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5

The Assembly bill entitled "An act to provide for the construction and maintenance of a bridge over the Tionghnioga river in the town of Cuyler, Cortland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Stanford
Beach	Edwards	Hubbard	Nichols	Tweed
Bradley	Folger	Humphrey	Nicks	Van Petten
Campbell	Genet	Kennedy	Parker	Williams
Cauldwell	Graham	Mattoon	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to alter the map or plan of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Morris	Thayer
Bradley	Folger	Mattoon	Nicks	Van Petten
Campbell	Graham	Morgan	Parker	Williams
Cauldwell	Hubbard			

17

FOR THE NEGATIVE.

Creamer	Hale	O'Donnell		
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. O'Donnell moved to take from the table the bill entitled "An act to authorize the construction of a railroad in certain streets and avenues in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Nichols	Stanford
Campbell	Hale	Morgan	Nicks	Thayer
Chapman	Hubbard	Morris	O'Donnell	Van Petten
Crowley	Humphrey	Murphy	Parker	Williams

20

FOR THE NEGATIVE.

Banks	Creamer	Genet	Mattoon	Tweed
Cauldwell	Edwards	Graham	Pierce	

9

Said bill having been announced for a third reading,

Mr. Humphrey moved to recommit the bill to the committee on railroads, with instructions to so amend the same as to require the company to pay into the city treasury \$2,500,000, in five equal annual installments of \$500,000, the first of which payments shall be made on the 1st day of January, 1870.

Mr. O'Donnell moved to amend, that said bill be recommitted to the committee with instructions to strike out the enacting clause.

Mr. Creamer moved to lay said bill upon the table until the 4th day of July next.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce
Bradley	Edwards	Mattoon	O'Donnell	Stanford
Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Murphy	Parker	Williams
Creamer	Hubbard			

22

FOR THE NEGATIVE.

Campbell	Genet	Nicks	Tweed	Van Petten
Folger	Humphrey			

7

The bill entitled "An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the Laws of the Province of Canada, or which shall hereafter be incorporated by the Laws of the Dominion of Canada," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Kennedy	Parker
Bradley	Edwards	Hale	Mattoon	Stanford
Campbell	Folger	Hubbard	Morgan	Van Petten
Cauldwell	Genet	Humphrey	Nichols	Williams
Creamer				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Hale moved to take from the table the veto message of His Excellency the Governor upon the bill entitled "An act to aid in the completion of the Whitehall and Plattsburgh railroad, and to amend chapter 103 of the Laws of 1867, and to renew the appropriation made thereby."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question "Shall this bill become a law notwithstanding the objections of His Excellency the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof:

FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	Nicks	Thayer
Cauldwell	Hale	Murphy	Stanford	Van Petten

10

FOR THE NEGATIVE.

Bradley	Edwards	Humphrey	Nichols	Parker
Campbell	Folger	Kennedy	Norton	Pierce
Chapman	Graham	Mattoon	O'Donnell	Tweed
Creamer	Hubbard	Morris	Palmer	Williams
Crowley				

21

The Assembly bill entitled "An act relating to the Jordan academy and free school district No. 4, in the town of Elbridge, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Kennedy	Palmer
Campbell	Edwards	Hale	Mattoon	Parker
Cauldwell	Folger	Hubbard	Nichols	Tweed
Chapman	Genet	Humphrey	Nicks	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to make provision for the government of the county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	Thayer
Beach	Crowley	Hubbard	Nichols	Van Petten
Campbell	Edwards	Humphrey	Parker	Williams
Cauldwell	Genet	Kennedy		

18

FOR THE NEGATIVE.

Chapman	Morgan	Norton	Stanford	Tweed
Folger	Nicks			

7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city through the lands of the Big Rock Cemetery Association," having been announced for a third reading,

On motion of Mr. Pierce, and by unanimous consent, said bill was amended by striking out section 2, and changing section 3 to section 2.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	Nicks	Pierce
Cauldwell	Hale	Morgan	Norton	Stanford

Creamer	Hubbard	Morris	Palmer	Tweed
Edwards	Humphrey	Nichols	Parker	Van Petten 20

FOR THE NEGATIVE.

Banks	Folger	Genet	O'Donnell	Williams 5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to appropriate certain moneys of the town of Bradford, in the county of Steuben," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Parker
Campbell	Graham	Morgan	Norton	Pierce
Cauldwell	Hale	Morris	O'Donnell	Thayer
Creamer	Hubbard	Nichols	Palmer	Van Petten
Edwards	Humphrey			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to further amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the county of Putnam,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Parker
Campbell	Graham	Mattoon	Norton	Pierce
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Creamer	Humphrey	Nichols	Palmer	Van Petten
Edwards				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the Home Life Insurance Company, the certificate of the incorporation of which was filed April 28th, 1860, under the provisions of an act entitled 'An act to provide for the incorporation of life and health insurance companies,' passed June 24th, 1853, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Morgan	Norton	Stanford
Cauldwell	Humphrey	Morris	O'Donnell	Van Petten

Edwards	Kennedy	Nichols	Palmer	Williams	
Folger	Mattoon	Nicks	Parker		19

FOR THE NEGATIVE.

Creamer 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens,' passed March 19, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Norton	Pierce	
Campbell	Hale	Morgan	O'Donnell	Thayer	
Cauldwell	Hubbard	Morris	Palmer	Van Petten	
Chapman	Humphrey	Nicks	Parker	Williams	
Edwards	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to lay out, open and grade an avenue in the towns of Flatbush and New Utrecht, in continuation of Franklin avenue of Flatbush," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Thayer	
Beach	Edwards	Kennedy	Palmer	Tweed	
Campbell	Folger	Mattoon	Pierce	Van Petten	
Cauldwell	Graham	Morris	Stanford	Williams	
Chapman	Hubbard	Murphy			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the village of Addison, in the county of Steuben, to extend its corporate limits and to establish fire limits," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford	
Campbell	Edwards	Humphrey	Palmer	Tweed	
Cauldwell	Folger	Mattoon	Parker	Van Petten	

Chapman	Genet	Morris	Pierce	Williams	
Creamer	Hale	Nichols			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Mattoon	Nicks	Pierce	
Chapman	Hubbard	Morris	Norton	Thayer	
Creamer	Humphrey	Murphy	O'Donnell	Tweed	
Crowley	Kennedy	Nichols	Parker	Van Petten	
Edwards					21

FOR THE NEGATIVE.

Folger					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to continue Fifth avenue, in the city of Brooklyn, from its present northerly termination to Atlantic avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Norton	Thayer	
Campbell	Hale	Morris	O'Donnell	Tweed	
Cauldwell	Hubbard	Nichols	Parker	Van Petten	
Creamer	Humphrey	Nicks	Pierce	Williams	
Edwards	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the village of Morrisville to raise money for certain purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Norton	Pierce	
Campbell	Folger	Mattoon	O'Donnell	Tweed	
Cauldwell	Genet	Morgan	Palmer	Van Petten	
Chapman	Graham	Nichols	Parker	Williams	
Creamer	Humphrey	Nicks			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the regulation of public cemeteries in Saratoga county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	Norton	Thayer
Cauldwell	Hale	Morgan	Parker	Tweed
Chapman	Hubbard	Morris	Pierce	Van Petten
Creamer	Humphrey	Nichols	Stanford	Williams
Folger	Kennedy	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Kennedy	Nichols	Stanford
Chapman	Hale	Mattoon	Nicks	Thayer
Creamer	Hubbard	Morgan	Parker	Tweed
Edwards	Humphrey	Morris	Pierce	Van Petten

20

FOR THE NEGATIVE.

Folger	O'Donnell	Williams	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to provide for the laying out and opening of a highway in the village of Huntington, in the town of Huntington, Suffolk county."

"An act to amend an act entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,' passed April 29, 1868."

Assembly, "An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line."

Assembly, "An act to incorporate the Stuyvesant Savings Bank in the city of New York."

Assembly, "An act to encourage the planting of shade trees along the sides of public highways."

Assembly, "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings."

Assembly, "An act to authorize the commissioners of highways of the town of Brasher, in the county of St. Lawrence, to borrow money to build a bridge."

Assembly, "An act to lay out, construct and maintain a public road in the town of Newtown, Queens county, from Jackson avenue to the village of Newtown."

Assembly, "An act to amend an act entitled 'An act to enable agricultural and horticultural societies to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose,' passed March 7, 1859."

Assembly, "An act to incorporate the Franklin Literary Society of Brooklyn."

Assembly, "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein."

Assembly, "An act to amend an act entitled 'An act to establish a Capital police, and to provide for the government thereof,' passed April 22, 1865."

Assembly, "An act to amend an act entitled 'An act to amend the several acts incorporating the village of Pulaski, in the county of Oswego.'"

Assembly, "An act in relation to the village of Valatie, in the county of Columbia."

Assembly, "An act to declare John street, in the village of Gouverneur, a public highway."

Assembly, "An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 7th, 1864, and the several acts amendatory thereof."

Assembly, "An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853."

Assembly, "An act to amend an act passed April 13th, 1860, entitled 'An act to encourage the construction of sidewalks in the village of Unadilla, Otsego county.'"

Assembly, "An act to incorporate the village of McGrawville, Cortland county."

Assembly, "An act to incorporate the village of Tottenville, in the town of Westfield, county of Richmond."

Assembly, "An act to amend an act entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall.'"

Assembly, "An act to fix the term of office of the keeper of the county court house, in the city of Brooklyn, county of Kings."

Assembly, "An act to amend section 1, chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104 of Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866, and further to amend section 5 of said act of 1866.'"

Assembly, "An act in relation to the Mount Olivet Baptist Church, Yonkers, New York, and to change the name thereof."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Regents of the University upon the State Cabinet of Natural History, reported in favor of the adoption of the following:

Resolved, That 1,500 copies of the report of the Regents of the Univer-

sity on the State Cabinet of Natural History be printed for the use of the Regents, and 300 for the Curator of the State Cabinet of Natural History.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to legalize and confirm a certain conveyance heretofore made by the trustees of the Congregation Anshi Cheshed in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The President having announced the special order, being the bills entitled as follows:

"An act to authorize a tax of one and a half mills per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State."

"An act to incorporate the Niagara Ship Canal Company."

Mr. Stanford moved to postpone the same for ten minutes, for the purpose of receiving reports of committees.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a stenographic reporter for the circuit courts, courts of oyer and terminer and special terms of the fifth judicial district,' passed February 25th, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from the report of the committee, which was ordered entered on the journal.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas in and for the city and county of New York, and fixing the compensation of the deputy and assistant record clerk in said office," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from the report of the committee, which was ordered entered on the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the charter of the Commercial Warehouse Company of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to release to the heirs-at-law of James Todd, deceased, all the estate, title and interest of the people of the State of New York of, in and to certain real estate in the town of Rossie, and county of St. Lawrence,' passed April 5, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act relating to the surrogate and county judge of the county of Otsego,' passed

June 27, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable James McNierney, of New York city, to take and hold real estate, and to remove the disability of his alleged alienage, and to confirm certain conveyances to him which are claimed to be void because of alienage, and to release the claims of the people of this State to him," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Edmund B. Graham, a notary public in and for Oneida county," reported in favor of the passage of the same with amendments.

On motion of Mr. Campbell, and by unanimous consent, the rules were suspended and said bill recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain escheated lands to Margaret Jhobes," reported in favor of the passage of the same.

On motion of Mr. Edwards, and by unanimous consent, the rules were suspended and said bill recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Williamsburgh Safe Deposit Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to attorneys costs in surrogates' courts," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the Commissioners of the Land Office to vacate a certain patent, issued to William Hamilton, to lands claimed by the widow and heirs of William Johnson, deceased, of the Oneida Indians," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Mary Ann Millis," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of George Northrup and A. & W. E. Duryea," reported adversely thereto.

Mr. Thayer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred

the Assembly bill entitled "An act to legalize certain acts of Richard F. Hall, John A. Russell and Geo. B. Moshier, in the village of West Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Thomas T. Hunter," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on Indian affairs, to which was referred the bill entitled "An act authorizing the Syracuse and Onondaga Stone Quarry Railroad Company to purchase and acquire title to a stone quarry on the Indian reservation in Onondaga county," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Morgan, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act providing for the partition of the lands and premises of the St. Regis Indians between the Protestant and Catholic denominations or parties," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 287 of the Laws of 1853, and to modify and define the duties of the commissioners elected under said act," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," with instructions to amend and strike out portions of said bill, reported that they have made the amendments thereto as directed by the Senate, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to extend the provisions of chapter 463 of the Laws of 1853, in relation to life and health insurance companies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams moved to take from the table the question agreeing to the report of the committee on municipal affairs adverse to the Assembly bill entitled "An act to authorize the abatement of a public nuisance at Auburn."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Williams moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Fifth Avenue Savings Bank of

Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act authorizing the savings banks in the city of Buffalo to invest portions of their accumulations or profits in the purchase of the first mortgage bonds of the Buffalo and Washington railway," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Bowling Green Savings Bank of the city of New York,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Loan and Security Bank of the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Stuyvesant Savings Bank of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the New York Real Estate and Banking Company," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the American Trust Company of the city of New York," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Oriental Savings Bank of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Mechanics' Savings Bank of Auburn," reported that they have made some amendments thereto and amended the title as follows: "An act to incorporate the Mechanics' and Farmers' Savings Bank of Auburn," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Sixth Avenue Savings Bank in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Oneida County Savings Bank, in the village of Rome," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to establish an asylum for orphans, friendless and illegitimate children of German origin," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to amend the charter of

the village of Attica," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the completion of the Wallabout improvement of the city of Brooklyn,' passed March 23, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the paving of Bushwick avenue, in the city of Brooklyn," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act further to amend the act entitled 'An act to widen and open Bushwick avenue and Morrell street, in the city of Brooklyn, from North Second street to the city line, and to regulate, grade and pave the same,' passed April 25, 1863," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Poughkeepsie,' passed March 28, 1854," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the Port Jervis Waterworks Company to issue bonds," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted Assembly bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend an act entitled 'An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30th, 1866, passed May 6th, 1868,'" and as amended, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 15, 1850, and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of ninety-seven land owners on North-Second street, Brooklyn, for an act to widen and improve said street, reported by bill entitled "An act to widen and improve North-Second street, in the city of Brooklyn, and grade and pave the same," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred

the Assembly bill entitled "An act to repeal an act entitled 'An act in regard to school district No. 16, in the town of Pittstown, in the county of Rensselaer,' passed March 15, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the Auburn Literary Association," reported adversely thereto.

Mr. Williams moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to legalize the proceedings of an annual school meeting held October 13th, 1868, in district No. 2, town of East Chester, Westchester county, N. Y.," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Berge Choral Union," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to lengthen the term of office of the recorder, city judge and surrogate in the city and county of New York," with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to facilitate the construction of the Cayuga Lake railroad, and to authorize the town of Springport, Cayuga county, to subscribe to the capital stock thereof."

"An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Flushing, Queens county."

"An act to release to Thomas Heas, Ellen Heas, Michael Heas, Timothy Heas, Mary Heas, Anne Heas, Patrick Heas and Ellen Heas the interest of the State of New York in certain moneys arising from a sale of real and personal property now held by the surrogate of Onondaga county."

"An act to incorporate the Wappinger's Savings Bank of Wappinger's Falls, Dutchess county, New York."

"An act in relation to a public park in the city of Albany."

"An act to provide for the drainage of certain low lands in the town of Ira, in the county of Cayuga, and in the town of Hannibal, in the county of Oswego."

"An act to incorporate the Dansville Savings Bank at Dansville, Livingston county."

"An act to incorporate the Little Falls Savings Bank, in the village of Little Falls, Herkimer county, New York."

"An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, as amended by chapter 722 of the Laws of 1868."

"An act to extend the bounds of the village of Peekskill and to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds and to enlarge the powers of the corporation of said village,' passed March 25, 1859."

"An act making provisions for the support of certain dispensaries in the city of Brooklyn."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize certain towns in Oswego county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Oneida lake, Oswego county, to Williamstown or Redfield, in said county, or to Lewis county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to close that portion of Dick street in the Seventeenth ward in the city of Brooklyn, extending from Commercial street to the water line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the attendants, messengers and officers of the Supreme Court of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize the common council of the city of Brooklyn to open and grade and pave and complete certain streets in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the erection of a public market in the Twenty-first ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Hansom Cab Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to election districts in the town of Horicon, Warren county, and for the erection of a new election district therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act providing for the improvement of Newtown creek, and for the appointment of a commissioner to report exterior lines for piers, wharves and bulkheads therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to extend Flushing avenue, and to lay out, open and improve Flushing Avenue and Newtown Turnpike road, from Broadway to the city line, and to close and to extend other adjoining streets and avenues in the city of Brooklyn,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to facilitate the extension of the Schoharie Valley railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend the act entitled 'An act to provide for the improve-

ment of the navigation of the Oswegatchie river, and of the hydraulic power therein, and to check freshets therein,' passed April 21st, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act in relation to the use and sale of milk cans used by milk dealers,' passed April 6th, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to enable the voters of the village of Lima, Livingston county, to vote on the question of repealing the charter of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to authorize the placing of an obstruction at the intersection of Big Ditch with the Wallkill river,' passed May 11, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate the use of hackney coaches or other licensed vehicles kept for hire in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Clifton Iron Company to issue a preferred stock, and to amend chapter 195 of the Laws of 1868, entitled 'An act to enable the Clifton Iron Company to transport passengers and for other purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize a loan to the county of Schoharie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to legalize the acts of Henry E. Barnard, a justice of the peace of Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to facilitate the construction of the Whitehall and Plattsburgh railroad,' passed March 20, 1867, and to renew the appropriation made thereby," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act relative to savings banks and institutions for savings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to enable the city of Buffalo to procure a supply of water for the Main and Hamburg street canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to plankroad companies in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Fulton Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act in regard to loans of money by individuals or corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to increase the Metropolitan police force," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Depositors' Loan Institution of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to incorporate the Delaware Bridge Company in Sullivan county, New York,' passed April 27, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to facilitate the construction, completion and equipment of the Buffalo, Corry and Pittsburgh railroad, and to enable any railroad corporation in this State to loan its credit and take stock in said railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Humphrey, the Senate adjourned.

SATURDAY, APRIL 24, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act in relation to the Mount Olivet Baptist Church, Yonkers, New York, and to change the name thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Parker	Tweed
Bradley	Hale	Morgan	Pierce	Van Petten
Campbell	Hubbard	Morris	Stanford	Williams
Cauldwell	Humphrey			

17

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March 5, 1866, and further to amend section 5 of said act of 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nicks	Tweed
Campbell	Folger	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish an asylum for orphan, friendless and illegitimate children of German origin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Pierce
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Murphy	Van Petten
Cauldwell	Genet	Kennedy	Nicks	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act passed April 13, 1880, entitled 'An act to encourage the construction of sidewalks in the village of Unadilla, Otsego county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Campbell	Folger	Humphrey	Nichols	Stanford
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman	Hale	Mattoon	Parker	Williams
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Pierce
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Nichols	Van Petten
Cauldwell	Genet	Kennedy	Nicks	Williams
Chapman	Graham	Mattoon	Parker	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," having been announced for a third reading,

Mr. Hale moved to recommit the same to the committee on literature, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate the Franklin Literary Society of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Stanford
Bradley	Edwards	Mattoon	Nicks	Thayer
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
Chapman	Humphrey	Murphy		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Stuyvesant Savings Bank in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morgan	Stanford
Bradley	Genet	Humphrey	Morris	Thayer
Cauldwell	Graham	Kennedy	Nicks	Van Petten
Chapman	Hale	Mattoon	Pierce	Williams
Creamer				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the village of McGrawville, Cortland county, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Mattoon	O'Donnell
Bradley	Edwards	Hubbard	Morris	Parker
Campbell	Folger	Humphrey	Nichols	Stanford
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,' passed April 29, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nicks	Stanford
Cauldwell	Graham	Kennedy	O'Donnell	Thayer
Creamer	Hale	Mattoon	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams
Folger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the village of Tottenville, in the town of Westville, county of Richmond," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Mattoon	Parker	Van Petten
Creamer	Hale	Morris	Pierce	Williams
Crowley	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend section 4 of chapter 216 of the Laws of 1867, entitled 'An act to enable the town of Southeast to raise money to purchase ground and build a town hall,' passed March 30, 1868,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Murphy	Stanford
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Nicks	Van Petten
Chapman	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Williams moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Auburn."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	O'Donnell	Thayer
Cauldwell	Genet	Humphrey	Parker	Van Petten
Chapman	Graham	Mattoon	Stanford	Williams
Crowley	Hale	Murphy		

18

FOR THE NEGATIVE.

Folger	Morris	Nichols
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 7, 1864, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Nichols	Thayer
Cauldwell	Folger	Mattoon	Nicks	Tweed
Chapman	Hale	Morgan	Parker	Van Petten
Creamer	Hubbard	Morris	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the laying out and opening of a highway in the village of Huntington, in the town of Huntington, Suffolk county," having been announced for a third reading,

On motion of Mr. Folger, and by unanimous consent, the rules were suspended and said bill amended by striking out "judge" and inserting "court."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Mattoon	Nicks	Thayer
Cauldwell	Genet	Morgan	O'Donnell	Tweed
Chapman	Graham	Morris	Parker	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Edwards	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to encourage the planting of shade trees along the sides of public highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Campbell	Genet	Mattoon	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten

20

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Nichols	Parker
Campbell	Genet	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	O'Donnell	Van Petten
Chapman	Hale	Morris	Palmer	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Brasher, in the county of St. Lawrence, to borrow money to build a bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Hubbard	Nicks	Stanford
Cauldwell	Genet	Kennedy	O'Donnell	Thayer
Creamer	Graham	Mattoon	Palmer	Van Petten
Edwards	Hale	Morgan	Parker	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to lay out, construct and maintain a public road in the town of Newtown, Queens county, from Jackson avenue to the village of Newtown," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Humphrey	Morris	Thayer
Cauldwell	Graham	Kennedy	Nichols	Tweed
Chapman	Hale	Mattoon	Parker	Van Petten
Edwards	Hubbard	Morgan	Stanford	Williams 20

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to enable agricultural and horticultural societies to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose,' passed March 7, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Thayer
Bradley	Genet	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Stanford	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the village of Valatie, in the county of Columbia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Bradley	Genet	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Pierce	Williams
Creamer				

21

FOR THE NEGATIVE.

Folger Nichols

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to declare John street, in the village of Gouverneur, a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Nicks	Thayer
Bradley	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman	Hubbard	Nichols	Pierce	Williams
Edwards	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to establish a Capital police, and to provide for the government thereof,' passed April 22, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morris	Thayer
Beach	Folger	Hubbard	Palmer	Tweed
Bradley	Genet	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams

20

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to fix the term of office of the keeper of the county court house in the city of Brooklyn, county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Pierce
Beach	Folger	Hubbard	Morris	Stanford
Bradley	Genet	Humphrey	Parker	Van Petten
Chapman	Graham	Kennedy		

18

FOR THE NEGATIVE.

Murphy	Thayer			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Attica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Beach	Folger	Humphrey	Nicks	Stanford
Bradley	Genet	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Creamer	Hale	Morgan	Parker	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Poughkeepsie,' passed March 28, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Folger	Mattoon	Palmer	Tweed
Cauldwell	Genet	Morgan	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Palmer	Thayer
Beach	Edwards	Kennedy	Parker	Tweed

Campbell	Folger	Mattoon	Pierce	Van Petten
Cauldwell	Genet	Morgan	Stanford	Williams
Chapman	Hale	Nicks		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the board of education of the union free school district No. 5, in the town of Rhinebeck, Dutchess county, to borrow money to build a school-house in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Palmer
Beach	Edwards	Hubbard	Morris	Parker
Bradley	Folger	Kennedy	Nicks	Van Petten
Campbell	Graham	Mattoon	O'Donnell	Williams
Cauldwell				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons, and in relation to certain disorderly persons in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Tweed
Campbell	Folger	Mattoon	Palmer	Van Petten
Cauldwell	Graham	Murphy	Parker	Williams
Chapman	Hale			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line," having been announced for a third reading,

Mr. Stanford moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to authorize a tax of one and a half mill per dollar of valuation, for construction of new work upon and extraordinary repairs of the canals of this State."

After some time spent therein the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of

said bill with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon moved that the bill entitled "An act to incorporate the Niagara Ship Canal Company," be made the special order for Monday evening, at 7½ o'clock.

Mr. O'Donnell moved to include also the annual message of the Governor.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Mattoon, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act to authorize a loan to the county of Schoharie," reported in favor of the passage of the same with amendments.

On motion of Mr. Hubbard, and by unanimous consent, the rules were suspended and said bill recommitted to the committee on finance, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain escheated lands to Margaret Jhobes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Whitehall and Plattsburgh railroad,' passed March 20, 1867, and to renew the appropriation made thereby," reported in favor of the passage of the same.

On motion of Mr. Hale, and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nichols	Stanford
Beach	Genet	Morgan	Nicks	Thayer
Bradley	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Murphy	Pierce	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Crowley	Folger	Kennedy	Norton	Parker
Edwards				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act for amending the registry law of the city and county of New York, the city of Brooklyn, and other incorporated cities and villages of this State," reported that they have made some amendments thereto, and amended the title so as to read "An act to

amend chapter 380 of the Laws of 1859, entitled 'An act for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage and to prevent fraudulent voting,' passed April 15, 1859, and chapter 740 of the Laws of 1865, entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,' passed April 13, 1865," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Murphy stated his dissent from said report, and it was ordered entered on the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Henry E. Barnard, a justice of the peace of Clinton county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess,' passed April 24, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the acts of Edmund B. Graham, a notary public in and for Oneida county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 513 of the Session Laws of 1866, entitled 'An act to confirm the title of certain persons to real estate questioned by reason of the alienism of former owners,' passed May 1st, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to extend the boundaries of the city of New York, and to provide for the improvement of such extension," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act for the improvement of certain parts of Westchester County, Harlem river and Spuyten Duyvil creek," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to unite the village of Lansingburgh to the city of Troy," reported in favor of the passage of the same with amendments.

On motion of Mr. Thayer, and by unanimous consent, the rules were suspended, and said bill recommitted to the committee on municipal affairs, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed December 7, 1847, so far as the same is applicable to the village of Canandaigua," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'Chapin Home for the Aged and Infirm' in the city of New York,"

reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate Billy J. Clark Division No. 102, Sons of Temperance of the Grand Division of Eastern New York," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate Lorraine Lodge No. 71, Independent Order of Good Templars," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'Father Matthew United Benevolent Total Abstinence Benefit Society' No. 3, in the village of Mount Vernon, in the county of Westchester and State of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the Methodist Episcopal Church of Jacksonville, Tompkins county, to sell certain real estate," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Van Petten moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16th, 1844."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Van Petten moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act for the relief of the South Brooklyn Savings Institution," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act in relation to the South Brooklyn Savings Institution," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to create the New York Guaranty Company," reported that they have made some amendments thereto, and amended the title as follows: "An act to incorporate 'The Real Estate

Assurance Company of the city of New York,'” and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled “An act to submit the question of locating the Wadsworth Normal and Training school upon the public park in the village of Geneseo, Livingston county, to the tax-paying electors of said village,” reported adversely thereto.

Mr. Chapman moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Bradley moved to take from the table the question agreeing to the report of the select committee of nine upon the Assembly bill entitled “An act relative to common schools in the city of New York.”

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, “An act to incorporate the village of Chateaugay, in the county of Franklin.”

Assembly, “An act to amend an act entitled ‘An act to amend an act entitled ‘An act to incorporate the village of Flushing,’ passed April 15, 1837, and the several acts amendatory thereof,’ passed March 20, 1857.”

Assembly, “An act to amend the act entitled ‘An act to suppress intemperance and to regulate the sale of intoxicating liquors,’ passed April 16, 1857.”

“An act relative to the widening, straightening, laying out and opening of St. Ann’s avenue and Carr avenue, in the town of Morrisania, in the county of Westchester.”

Assembly, “An act authorizing the town of Leicester, in the county of Livingston, to purchase additional land to enlarge their burying ground near the village of Moscow.”

Assembly, “An act to incorporate ‘The Literary Society of St. Vincent Ferrar.’”

Assembly, “An act to amend an act entitled ‘An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,’ passed April 19, 1867.”

Assembly, “An act to amend an act entitled ‘An act to incorporate the village of Galway, in the county of Saratoga,’ passed April 18th, 1838.”

Assembly, “An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto.”

Assembly, “An act to amend the charter of the village of St. Johnsville, in the county of Montgomery.”

Assembly, “An act to amend an act entitled ‘An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation,’ passed April 24, 1868.”

Assembly, “An act to amend section 2 of chapter 108 of the Laws of 1866, in relation to the charter of the village of Cooperstown.”

Assembly, "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 10, 1864."

Assembly, "An act to regulate, grade and macadamize certain pieces of highway in the town of Westchester, in the county of Westchester, and known as the Fort Schuyler, Pelham Bridge, West Farms, Williams Bridge and Westchester and East Chester roads and Union avenue."

Assembly, "An act to amend the charter of the city of Syracuse."

Assembly, "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway."

Assembly, "An act to incorporate the Equitable Savings Institution of the city of New York."

Assembly, "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie and for sewers therein,' passed April 12, 1867, and to repeal chapter 475 of the Laws of 1868."

Assembly, "An act authorizing the town of Gouverneur, in the county of St. Lawrence, to raise money to pay for erecting a watering trough in said town, and to supply the same with water."

Assembly, "An act to release the interest of the State in the real estate of which Mary Baird, late of Ithaca, Tompkins county, New York, died seized, to Mary Jane Drake, of said town."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies and in relation to agencies of such companies,' passed June 24, 1853."

Assembly, "An act to authorize the 'Whiteport Plankroad Company' to change the route of such road at certain points, and also to lay an iron track for certain uses along their plank way."

Assembly, "An act to amend section 1 of chapter 846 of the Laws of 1868, incorporating the 'Milton Ferry Company,' passed June 2d, 1868."

Assembly, "An act to legalize certain acts of Richard F. Hall, John A. Russell and George B. Moshier, in the village of West Troy."

Assembly, "An act to incorporate the Oriental Savings Bank of the city of New York."

Assembly, "An act to incorporate the Sixth Avenue Savings Bank in the city of New York."

Assembly, "An act to legalize the proceedings of an annual school meeting, held October 13, 1868, in district No. 2, town of East Chester, Westchester county, N. Y."

The question being upon agreeing to the report of the committee,

Mr. Folger moved to recommit the Assembly bill entitled "An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," to the select committee of nine.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Pierce moved to recommit the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue;

Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway," to the select committee of nine.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which, was referred the Assembly bill entitled "An act in relation to election districts in the town of Horicon, Warren county, and for the erection of a new election district therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act relative to the compensation of the assessors of the town of Watervliet," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nichols presented the report of the Joint committee of the Senate and Assembly to examine into the management of affairs of the State Lunatic Asylum at Utica, which was laid on the table and ordered printed.

(*See Doc. No. 80.*)

The President presented the final report of the New York State Agricultural College, which was laid on the table and ordered printed.

(*See Doc. No. 81.*)

Also, a communication from the Auditor of the Canal Department, relative to deposit of canal tolls, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(*See Doc. No. 82.*)

Mr. Folger moved that the several veto messages of His Excellency the Governor, now lying upon the table, not acted upon, be made the special order on Tuesday next, at 4 o'clock P. M., and that a session be held at that time for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Murphy	Norton	Pierce
Creamer	Hale	Nichols	Palmer	Stanford
Crowley	Morgan	Nicks	Parker	Thayer
Edwards	Morris			

FOR THE NEGATIVE.

Mattoon O'Donnell Van Petten

The Assembly returned the bill entitled "An act for the relief of Erasmus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley," with a message that they had consented to a committee of conference, and appointed as such committee on the part of the Assembly, Messrs. S. Mitchell, Tuttle, Perry, Miller and Skeels.

The Assembly returned the bill entitled "An act for the relief of Eli A. Brohson," with a message that they had passed the same with the following amendment:

Strike out section 2, and change section 3 to section 2.

Mr. Folger moved that the Senate do not concur in the amendments of the Assembly, and that it be referred to the same committee of conference as upon the last mentioned bill.

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and appointed the same committee of conference as upon last named bill, and request same committee on their part.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3d, 1867," with a message that they do non-concur in the report of the committee of conference, and request a new committee, and have appointed as such committee on the part of the Assembly, Messrs. Patrick, Sargent, W. M. Ely, Summers and Trainor.

Mr. Parker moved that a new committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following :

IN ASSEMBLY, *April 24, 1869.*

Resolved, (if the Senate concur,) That the flags in the Bureau of Military Records, which were carried in the Army of the Potomac, be loaned to the Association of the Army of the Potomac for their celebration on the 5th and 6th days of July next, at the Academy of Music in New York, the same to be immediately thereafter returned to the Bureau of Military Records.

Ordered, That said resolution be laid on the table.

Also, the following :

IN ASSEMBLY, *April 23, 1869.*

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting him to return to this House Assembly bill No. 657, entitled "An act in relation to a public park in the city of Albany," for amendment, in consequence of a clerical error therein.

On motion of Mr. Banks and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Also, the following :

IN ASSEMBLY, *April 23, 1869.*

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return to this House of Assembly bill No. 230, entitled "An act to incorporate the Independent Turnverein, in the city of Brooklyn," for the purpose of amending the same.

Ordered, That said resolution be laid on the table.

The Assembly returned the bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," with a message that they had concurred in the passage thereof with the following amendments :

Insert as section 15 the following :

"§ 15. The provisions of this act are hereby declared to be a general law, and shall apply so far as they are applicable to any rural cemetery now organized or which may be hereafter organized within this State."

.Change section 15 to section 16.

Mr. Nicks moved that the Senate non-concur in said amendments, and request a committee of conference, and appoint one on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

The Assembly returned the bill entitled "An act relating to the claim of Henry I. Seymour for canal damages," with a message that they non-concur in the passage of the same.

The Assembly returned the bill entitled "An act in relation to the Wallabout improvement in the city of Brooklyn," with a message that they had passed the same with the following amendments :

Strike out all after section 2, and substitute the following :

"§ 3. The Kent Avenue basin, as authorized by section 1 of chapter 548 of the Laws of 1868, shall be as near the width of sixty feet as practicable, but the bulkheads as they now exist on the north-easterly side of the canal from Taylor street to the south-westerly side of Wilson street, shall not be disturbed, and the map of such basin in the street commissioners' office shall be made to correspond with such line."

"§ 4. All acts and parts of acts inconsistent with this act are hereby repealed."

"§ 5. This act shall take effect immediately."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Hale	Morris	Palmer	Tweed
Chapman	Hubbard	Murphy	Parker	Van Petten
Crowley	Kennedy	Nichols	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following :

IN ASSEMBLY, April 21, 1869.

The Governor having returned the bill entitled "An act for the relief of Eliza W. Dunlap," pursuant to a resolution of the Assembly, and the vote upon the final passage of the same having been reconsidered ; on motion of Mr. Crane, and by unanimous consent, said bill was amended by striking out the second section thereof, and changing section 3 to section 2, and as amended read a third time and passed.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Norton	Pierce
Bradley	Hale	Morris	O'Donnell	Stanford
Cauldwell	Hubbard	Nichols	Palmer	Tweed
Chapman	Mattoon	Nicks	Parker	Van Petten
Edwards				

21

FOR THE NEGATIVE.

Folger 1

Mr. Hale moved to refer said bill to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following :

IN ASSEMBLY, *April 21, 1869.*

The Governor having returned the bill entitled "An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany on or about the 16th day of June, 1867," pursuant to a resolution of the Assembly, and the vote upon the final passage of the same having been reconsidered ; on motion of Mr. Miller, and by unanimous consent, said bill was amended by striking out section 2, and changing section 3 to section 2, and as amended read a third time and passed.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Palmer	Thayer
Bradley	Genet	Morris	Parker	Tweed
Cauldwell	Hale	Norton	Pierce	Van Petten
Chapman	Hubbard			

17

FOR THE NEGATIVE.

Folger Kennedy Mattoon O'Donnell Stanford 5

Mr. Hale moved to refer said bill to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act for the benefit of policy holders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act for the relief of Erskine G. Clark, Edward Gay, Joseph H. Harris, James Stack, Nelson Miller, Ezekiel Smith, Joseph Potvin, Timothy Crowley, George Herford, William Henry, George A. Underhill, Walter S. Alden, Daniel Guarin, Samuel Wood, Robert J. Peck, Sidney B. Miller, Robert Wiggins, Reuben C. Oatman, John Davison, Jeremiah F. Miller, Horace Dibble, Timothy Buckley, James Johnston, Peter Lawson, James Toole, Hugh Story, John G. Henry, Mary Henry, Orville N. Carlton, John P. Matteson, James Guarin, Andrew Parker, Bryan Daly, Alexander McKee, Thomas Galla-

Insert as section 15 the following:

"§ 15. The provisions of this act are hereby declared to be a general law, and shall apply so far as they are applicable to any rural cemetery now organized or which may be hereafter organized within this State."

.Change section 15 to section 16.

Mr. Nicks moved that the Senate non-concur in said amendments, and request a committee of conference, and appoint one on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

The Assembly returned the bill entitled "An act relating to the claim of Henry I. Seymour for canal damages," with a message that they non-concur in the passage of the same.

The Assembly returned the bill entitled "An act in relation to the Wallabout improvement in the city of Brooklyn," with a message that they had passed the same with the following amendments:

Strike out all after section 2, and substitute the following:

"§ 3. The Kent Avenue basin, as authorized by section 1 of chapter 548 of the Laws of 1868, shall be as near the width of sixty feet as practicable, but the bulkheads as they now exist on the north-easterly side of the canal from Taylor street to the south-westerly side of Wilson street, shall not be disturbed, and the map of such basin in the street commissioners' office shall be made to correspond with such line."

"§ 4. All acts and parts of acts inconsistent with this act are hereby repealed."

"§ 5. This act shall take effect immediately."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Hale	Morris	Palmer	Tweed
Chapman	Hubbard	Murphy	Parker	Van Petten
Crowley	Kennedy	Nichols	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 21, 1869.*

The Governor having returned the bill entitled "An act for the relief of Eliza W. Dunlap," pursuant to a resolution of the Assembly, and the vote upon the final passage of the same having been reconsidered; on motion of Mr. Crane, and by unanimous consent, said bill was amended by striking out the second section thereof, and changing section 3 to section 2, and as amended read a third time and passed.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Norton	Pierce
Bradley	Hale	Morris	O'Donnell	Stanford
Cauldwell	Hubbard	Nichols	Palmer	Tweed
Chapman	Mattoon	Nicks	Parker	Van Petten
Edwards				

21

FOR THE NEGATIVE.

Folger	1
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Mr. Hale moved to refer said bill to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 21, 1869.*

The Governor having returned the bill entitled "An act for the relief of John Bair, William Evans, William Everts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal at or near Oriskany on or about the 16th day of June, 1867," pursuant to a resolution of the Assembly, and the vote upon the final passage of the same having been reconsidered; on motion of Mr. Miller, and by unanimous consent, said bill was amended by striking out section 2, and changing section 3 to section 2, and as amended read a third time and passed.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Palmer	Thayer
Bradley	Genet	Morris	Parker	Tweed
Cauldwell	Hale	Norton	Pierce	Van Petten
Chapman	Hubbard			

17

FOR THE NEGATIVE.

Folger	Kennedy	Mattoon	O'Donnell	Stanford	5
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Mr. Hale moved to refer said bill to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act for the benefit of policy holders in life insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act for the relief of Erskine G. Clark, Edward Gay, Joseph H. Harris, James Stack, Nelson Miller, Ezekiel Smith, Joseph Potvin, Timothy Crowley, George Herford, William Henry, George A. Underhill, Walter S. Alden, Daniel Guarin, Samuel Wood, Robert J. Peck, Sidney B. Miller, Robert Wiggins, Reuben C. Oatman, John Davison, Jeremiah F. Miller, Horace Dibble, Timothy Buckley, James Johnston, Peter Lawson, James Toole, Hugh Story, John G. Henry, Mary Henry, Orville N. Carlton, John P. Matteson, James Guarin, Andrew Parker, Bryan Daly, Alexander McKee, Thomas Galla-

gher, Bloomer Underhill, Nicholas M. Catlin, Patrick McIntyre and Benjamin Ferris," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act for the relief of John C. Blaisdell, Harden Bailey and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Chapman offered the following :

Resolved, That 500 copies of the Manual of the Regents of the University be printed for the use of the said Regents.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Folger called for the consideration of the concurrent resolutions, as follows :

Resolved, (if the Assembly concur,) That the Legislature on Tuesday the 27th instant, at 12 o'clock at noon, proceed to elect a Regent of the University in place of Isaac Parks, deceased.

Resolved, (if the Assembly concur,) That the Legislature on Tuesday the 27th instant, at 12 o'clock at noon, proceed to elect a Commissioner of the Metropolitan police district in place of Thomas C. Acton, who is about to resign.

Mr. Folger moved to amend by striking out "Tuesday the 27th," and inserting "Thursday the 29th."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolutions as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

Mr. Creamer moved that the bills placed upon the preferred calendar be moved the special order on Wednesday next, at 12 o'clock M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tweed offered the following :

Resolved, That when the Senate adjourn to-day, it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Mattoon moved to amend by striking out "Monday evening at 7½ o'clock," and inserting "Monday at a quarter before 10 o'clock, A. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Morgan	Van Petten	8
Cauldwell	Genet	Mattoon			

FOR THE NEGATIVE.

Banks	Folger	Nichols	O'Donnell	Stanford	15
Creamer	Hubbard	Nicks	Palmer	Thayer	
Crowley	Morris	Norton	Parker	Tweed	

The President then put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	Stanford
Bradley	Crowley	Hubbard	Norton	Tweed
Cauldwell	Edwards			

12

FOR THE NEGATIVE.

Chapman	Mattoon	Nichols	Palmer	Thayer
Folger	Morgan	Nicks	Parker	Van Petten
Hale	Morris	O'Donnell		

13

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island,' passed April 29, 1868."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies and in relation to agencies of such companies,' passed June 24, 1853, and to provide against the use of proxies in certain cases."

"An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons, and in relation to certain disorderly persons in said county."

"An act to authorize the board of education of union free school district No. 5, in the town of Rhinebeck, Dutchess county, to borrow money to build a school-house in said district."

"An act to alter the map or plan of the city of New York."

Also as correctly re-engrossed:

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases."

"An act to amend an act entitled 'An act to enable the town of Wad-dington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866."

"An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867."

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend an act entitled 'An act to incorporate the Mutual Insurance Company of Buffalo,' passed April 18, 1843, and to enlarge its powers."

"An act to amend an act entitled 'An act relating to the purchase of supplies for the support of the poor and other inmates of the public institutions of the county of Kings,' passed April 15, 1857."

"An act to amend 'An act to incorporate the Auburn Savings Institution, and the acts amendatory thereof,' passed May 2, 1864, and April 13, 1865."

"An act to authorize the closing of that portion of the Jamaica and Brooklyn plankroad lying within the limits of the city of Brooklyn."

"An act to authorize the supervisors of the county of Schenectady to lay out certain grounds for county fair and parade grounds."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to alter school district No. 4, town of Oyster Bay, Queens county,' passed April 10, 1860."

"An act to incorporate the Wayside Industrial Home in the city of New York."

"An act to confirm the official acts of certain town officers in the county of Westchester."

"An act to incorporate the Masonic Hall Association of the village of Hornellsville."

"An act to amend an act entitled 'An act to amend the charter of the Sing Sing Savings Bank,' passed April 2, 1859."

"An act to authorize the erection of a Soldiers' and Sailors' monument in the city of New York, and to authorize the raising of money therefor."

"An act to amend an act incorporating the village of Phoenix, in the county of Oswego."

"An act amending an act entitled 'An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company,' passed May 6, 1868."

"An act to authorize the common council of the city of Rochester to raise money for certain purposes, and to issue the bonds of said city for certain other purposes."

"An act to authorize John Maxwell, Cyrus Burhans, Jeremiah P. Russell and John P. Kimble to construct tramways on their turnpike road, and to straighten and increase the width of the same, and to fix the tolls thereon."

"An act for the election of receiver of taxes and assessments in the town of Cortlandt, and village of Peekskill."

"An act to amend the charter of the Great Western Life Insurance Company of New York."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly also returned the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the village of College Point, in Queens county,' passed April 5, 1867."

"An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns in this State,' passed April 18, 1859."

"An act to amend an act entitled 'An act to enable the town of Wad-dington to issue bonds in aid of a branch railroad, and to provide for the construction and equipment thereof,' passed March 20, 1866."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Tweed, the Senate adjourned.

MONDAY, APRIL 26, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sprague.

The journal of Saturday was read and approved.

The President appointed as the committee of conference upon the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," Messrs. Parker, Chapman and Hubbard.

Also as the committee of conference upon the Assembly bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," Messrs. Nicks, Morgan and Cauldwell.

The President presented a communication from the Regents of the University of the State of New York, as follows :

ALBANY, April 17, 1869.

TO HON. ALLEN C. BEACH, *President of the Senate* :

Sir : The Rev. Isaac Parker, D. D., a Regent of the University, died at his residence in Whitehall on the 15th inst., making a vacancy in the Board to be filled at the pleasure of the Legislature.

I have the honor to be, very respectfully, your obedient servant,
S. B. WOOLWORTH, *Secretary*.

Also, a communication from Alexander T. Stewart, Horace Greeley and William Orton, commissioners appointed to exchange lands in the city of New York for site for postoffice, requesting the passage of an act authorizing such exchange, which was referred to the committee on the judiciary.

Mr. Williams moved to take from the table the question agreeing to the report of the committee on municipal affairs adverse to Assembly bill entitled "An act to abate a nuisance in the city of Auburn."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Williams moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Tweed, from the select committee of nine, reported the following entitled bill complete :

"An act to amend chapter 41, Laws of 1864, entitled 'An act in relation to the Commissioners of the Metropolitan police of the Metropolitan Police district of the State of New York.'"

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution :

Resolved, That 1,500 copies of the annual report of the State Cabinet

be printed in large octavo, under the order and direction of the Curator of the State Cabinet.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize a tax of one and a half mill per dollar of valuation, for construction of new work upon and extraordinary repairs of the canals of this State."

"An act relative to the widening, straightening, laying out and opening of St. Ann's avenue and Carr avenue, in the town of Morrisania, in the county of Westchester."

The Assembly sent for concurrence the bills entitled as follows:

"An act authorizing Nathan J. Terry of Hector, in the county of Schuyler, to remove the remains of certain persons buried on his premises, to the Jones Cemetery Ground in said town of Hector," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to close and discontinue part of McDougal street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the widening of Nassau street and Flushing avenue, in the city of Brooklyn, and for the regulating, grading, paving and improving the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the election and fix the term of office of the board of education of union free school No. 1, of the town of Hamburg, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to lay out, open, extend and work certain highways in the town of West Farms, known as Fairmount avenue and Berrian avenue,' chapter 736, Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the removal of the Mutual Savings Bank of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act relative to ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Excelsior Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the charter of the Rexford Flats Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Gravesend Institute, and to enable the town of Gravesend to endow the same out of its common lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to incorporate the Fort Ann Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the comptroller of the city of Brooklyn to issue registered bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 885 of the Laws of 1868, passed August 20, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the Orange Turnpike Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the town of Westchester to lay out and construct a highway to be called the Eastern Boulevard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Veteran Corps of the Washington Grey Cavalry of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act to incorporate the White Plains Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the village of Hart's Falls to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the salary of the keeper of the common jail of the city and county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a work-house for said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act providing police officers for the village of Wellsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act granting certain lands between high and low water mark on Crane Neck, Long Island Sound," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the Insurers Indemnity Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to incorporate the Olive Branch Division No. 347 of the Sons of Temperance of Eastern New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the purchase of a farm for the town poor of the town of Hempstead, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to widen and improve Fourth street, in the eastern district of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to repeal chapter 251 of the Laws of 1823, entitled 'An act to annex Scutter's Island, Little Island and Willow Island to the county of Greene,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on erection and division of towns and counties.

"An act to amend chapter 514 of the Laws of 1865, entitled 'An act to incorporate the Williwmoc Water Improvement, Lumber Manufacturing and Land Company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the City Hall Company of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the act entitled 'An act to amend the several acts in relation to Union village, in the county of Washington, and to change the name of said village to Greenwich,' passed April 3, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Dime Savings Bank, in the village of Suffern, in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to release the interest of the people of the State of New York in certain real estate in the village of Olean, Cattaraugus county, of which William Bagnall died seized, to Jacob Cook," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'New York and Williamsburgh Bridge Company,' for the purpose of constructing and maintaining a bridge over the East river between the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Clyde Waterworks Company," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the interest of the people of the State of New York to the sister and brothers of Francis Dougherty, deceased, and to enable them to take, hold and dispose of certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act giving the assent of the Legislature of the State of New York to an act of the Legislature of the State of Pennsylvania, entitled 'An act to incorporate the Equinunk Bridge Company,' approved February 18, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to repair the State works on the west branch of the Oswegatchie river, to improve the navigation thereof and the hydraulic power connected therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend the Laws relating to common schools in the first Assembly district of Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the draining of certain lands in the town of Murray, in the county of Orleans, caused to overflow by the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the Great Neck Dock Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Brooklyn Baptist Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to the Court of Oyer and Terminer in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act providing for the payment of awards by the commissioners appointed under chapter 659, section 1st of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act creating a separate road district in the village of Westford, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the appointment of commissioners to lay out a plan for roads and streets in the towns of Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act authorizing the trustees of the village of Mount Morris to subscribe to the capital stock of the Mount Morris Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act repealing so much of the act entitled 'An act making appro-

priations for certain expenses of government, and for supplying deficiencies in former appropriations,' passed May 8, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to regulate the election of coroners in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Father Matthew Total Abstinence Benefit Society No. 1, of the town and county of Westchester and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act for the relief of Oscar S. Foster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the town of Belfast, in the county of Allegany, to raise five hundred dollars for the benefit of the 'Genesee Valley Seminary,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to extend the time for the collection of taxes in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to change the name of the Yorkville Baptist Church, in the city of New York, to the Central Park Baptist Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to repeal an act entitled 'An act in relation to the Troy and Boston Railroad Company,' passed April 25, 1867, and to regulate the fare thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for taking down and re-erecting the east wall of the State Arsenal building on the corner of Seventh avenue and Thirty-fifth street, in the city of New York, and for procuring the additional land required for such purpose, and also for making necessary repairs to the said building, and for the construction of a magazine therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act to amend section 7, title 6, chapter 1 of part 4 of the Revised Statutes, in regard to joint tenants and tenants in common," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley, and to Patterson's Corners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the relief of Alva Ward and Archibald McVicker," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend the 'Act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga,' passed April 29th, 1863," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the construction of an iron foot bridge across the Erie canal in the city of Utica, across Broadway street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to annex part of the town of Dix to the town of Montour, in the county of Schuyler, and to alter the boundaries thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act to extend the time of the expiration of license for the sale of intoxicating liquors in the Metropolitan police district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend chapter 625 of the Laws of 1866, entitled 'An act to authorize towns or cities in the counties of Jefferson and Lewis to issue bonds and take stock in certain railroads,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act releasing the interest of the people of the State of New York in certain real estate to Thomas C. T. Buckley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act concerning the duties of assessors and collectors of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to alter the map or plan of the city of New York, and to carry the alterations into effect," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the People's Savings Bank, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to facilitate the possession of land after judgment in actions for dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the payment of Charles A. Donalds for the construction of a dam across the Mohawk river, at Rexford Flats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to revise and amend the charter of the village of Astoria, in the county of Queens,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to allow the directors of the Union Village and Johnsonville Railroad Company to change its corporate name to that of Greenwich and Johnsonville Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the better protection of persons traveling on railways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the relief of Frederick Reese," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the reopening of old, and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to provide for the more effectual improvement of the roads, bridges and sidewalks in the town of Islip, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to erect district No. 5 in the town of Watervliet, in the election of town officers, and that said district shall also be the tenth election district in said town for all general elections,' passed March 31st, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Washington Market Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the charter of the village of Boonville, in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of Henry Winter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Nichols offered the following:

Resolved, (if the Assembly concur,) That the Legislature concur with the Canal Board in the reduction of the rates of toll on the following named articles, when transported on the canals of this State: On barytes, cabinet ware and furniture, car axles, all iron castings, domestic cottons, domestic woolens, fire proof cement, furniture for stoves (not cast iron), hides, raw and green, foreign and domestic, bloom and pig iron going towards tide water, iron bolts, iron safes, scrap iron, junk, mahogany, plaster, calcined, or plaster of paris going from tide water, rags, yarnish and vinegar, from present rates to one and a half mills for 1,000 pounds per mile; on bleaching powders going from tide water, bones other than for manure, coffee, crockery, brimstone, salted fish going from tide water, foreign gypsum, pig iron going from tide water, bar lead going from tide water, molasses, nails, rice going from tide water, spikes, wrought stone, sugar, sal soda going from tide water, tin plate going from tide water, water lime going from tide water, and wool, from present rates to one mill per 1,000 pounds per mile; on earth, lime stone, sand, slate, and stone unwrought and partly wrought, from present rates to half a mill per 1,000 pounds per mile; and on window sashes and blinds, from present rates to five mills per 1,000 pounds per mile.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to provide a place for the holding of the surrogate's courts and for the safe keeping of the records of the surrogate in the city of Hudson, Columbia county," with a message that they had non-concurred in the passage thereof.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to unite the village of Lansingburgh to the city of Troy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16th, 1867," with a message that they had passed the same with the following amendment:

Insert as section 5, the following:

"§ 5. Section 2 of said act is hereby amended so that the last and concluding sentence thereof shall read as follows: 'Such commissioners, before entering upon the duties of their office, shall severally take and subscribe an oath, before some person authorized to administer oaths, faithfully and impartially to perform the duties of said office; but no greater compensation or allowance shall be made to said commissioners or either of them for their services than three dollars per day and necessary expenses, which shall be a charge upon the construction fund of said avenue, and apportioned upon the several towns through which said avenue passes, the same as other contingent expenses are apportioned, or be levied directly upon said town.'"

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
Genet				

21

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. O'Donnell, from a majority of the committee on finance, to which was recommitted the Assembly bill entitled "An act to authorize a loan to the county of Schoharie," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Hubbard and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Stanford
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Chapman	Humphrey	Morris	Palmer	Tweed
Edwards	Kennedy	Nichols	Parker	Van Petten
Genet				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to regulate, grade and macadamize certain pieces of highway in the town of Westchester, and known as the Fort Schnyler, Pelham Bridge, West Farms, Williams Bridge and Westchester and East Chester roads and Union avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford
Cauldwell	Hale	Mattoon	Nicks	Thayer
Chapman	Hubbard	Morgan	Palmer	Tweed
Edwards	Humphrey	Morris	Parker	Van Petten

20

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Stanford
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Chapman	Humphrey	Morris	Palmer	Tweed
Edwards	Kennedy	Nichols	Parker	Van Petten
Genet				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate 'The Literary Society of St. Vincent Ferrar,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Chapman	Humphrey	Nichols	Parker	Van Petten
Edwards	Mattoon	Nicks	Stanford	19

FOR THE NEGATIVE.

Hale	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Stanford
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Chapman	Humphrey	Morris	Palmer	Tweed
Edwards	Kennedy	Nichols	Parker	Van Petten
Genet				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies and in relation to agencies of such companies,' passed June 24, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Nichols	Palmer	Thayer
Chapman	Hubbard	Nicks	Parker	Tweed
Edwards	Humphrey	O'Donnell	Stanford	Van Petten
Genet	Morris			17

FOR THE NEGATIVE.

Kennedy	Mattoon	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the village of St. Johnsville, in the county of Montgomery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford
Cauldwell	Hale	Mattoon	Nicks	Tweed

Chapman	Hubbard	Morgan	Palmer	Van Petten	
Edwards	Humphrey	Morris	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the acts of Edmund B. Graham, a notary public in and for Oneida county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford	
Cauldwell	Hale	Mattoon	Nicks	Tweed	
Chapman	Hubbard	Morgan	Palmer	Van Petten	
Edwards	Humphrey	Morris	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the town of Gouverneur, in the county of St. Lawrence, to raise money to pay for erecting a watering trough in said town, and to supply the same with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Stanford	
Cauldwell	Hubbard	Morgan	O'Donnell	Tweed	
Chapman	Humphrey	Morris	Palmer	Van Petten	
Edwards	Kennedy	Nichols	Parker	Williams	
Genet					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Chateaugay, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	O'Donnell	Thayer	
Cauldwell	Hubbard	Morris	Palmer	Tweed	
Chapman	Humphrey	Nichols	Parker	Van Petten	
Edwards	Kennedy	Nicks	Stanford	Williams	
Genet	Mattoon				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
Genet				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie and for sewers therein,' passed April 12, 1867, and to repeal chapter 475 of the Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 2 of chapter 108 of the Laws of 1866, in relation to the charter of the village of Coopers-town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain escheated lands to Margaret Jhobes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Chapman	Humphrey	Nichols	Parker	Van Petten
Edwards	Kennedy	Nicks	Stanford	Williams
Genet	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Sixth Avenue Savings Bank in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Parker	Tweed
Cauldwell	Hale	Morris	Stanford	Van Petten
Chapman	Hubbard	O'Donnell	Thayer	Williams
Edwards	Kennedy	Palmer		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Galway, in the county of Saratoga,' passed April 18th, 1838," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act relative to the widening, straightening, laying out and opening of St. Ann's avenue and Carr avenue, in the town of Morrisania, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Stanford
Cauldwell	Hale	Morgan	O'Donnell	Thayer
Chapman	Hubbard	Morris	Palmer	Van Petten
Edwards	Humphrey	Nichols	Parker	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the town of Leicester, in the county of Livingston, to purchase additional land to enlarge their burying ground near the village of Moscow," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Mattoon	O'Donnell	Thayer
Chapman	Hubbard	Morgan	Palmer	Tweed
Edwards	Humphrey	Morris	Parker	Van Petten
Genet	Kennedy	Nichols	Stanford	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation,' passed April 24th, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
Genet				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Equitable Savings Institution, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Chapman	Humphrey	Nicks	Stanford	Williams
Edwards	Kennedy	O'Donnell	Thayer	19

FOR THE NEGATIVE.

Nichols 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 16, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hubbard	Mattoon	Palmer	Van Petten
Chapman	Humphrey	Morgan	Stanford	Williams
Hale	Kennedy	Nicks	Tweed	14

FOR THE NEGATIVE.

Banks Edwards Morris Nichols O'Donnell 5

Mr. Williams moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Williams, and by unanimous consent, said bill was amended by striking out the words "or bonds of the States of Ohio and Michigan."

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Mattoon	Nicks	Thayer
Chapman	Hubbard	Morgan	O'Donnell	Van Petten
Edwards	Humphrey	Morris	Stanford	Williams
Genet	Kennedy	Nichols		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the 'Whiteport Plank-road Company' to change the route of such road at certain points, and also to lay an iron track for certain uses along their plank way," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford
Cauldwell	Hale	Mattoon	Nicks	Thayer
Chapman	Hubbard	Morgan	Palmer	Tweed
Edwards	Humphrey	Morris	Parker	

19

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 1 of chapter 846 of the Laws of 1868, incorporating the 'Milton Ferry Company,' passed June 2d, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Thayer
Cauldwell	Hubbard	Morgan	O'Donnell	Van Petten
Chapman	Humphrey	Morris	Stanford	Williams
Edwards	Kennedy	Nichols		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize certain acts of Richard F. Hall, John A. Russell and George B. Moshier, in the village of West Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Chapman	Humphrey	Morris	Palmer	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the proceedings of an annual school meeting, held October 13, 1868, in district No. 2, town of East Chester, Westchester county, N. Y.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed

Chapman	Humphrey	Nichols	Parker	Van Petten
Edwards	Kennedy	Nicks	Stanford	Williams
Genet	Mattoon			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the interest of the State in the real estate of which Mary Baird, late of Ithaca, Tompkins county, New York, died seized, to Mary Jane Drake, of said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Chapman	Humphrey	Nichols	Parker	Van Petten
Edwards	Kennedy	Nicks	Stanford	Williams
Genet	Mattoon			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Oriental Savings Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Hubbard	Morgan	O'Donnell	Thayer
Cauldwell	Humphrey	Morris	Palmer	Tweed
Chapman	Kennedy	Nichols	Parker	Van Petten
Edwards	Mattoon	Nicks	Stanford	Williams
Hale				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 41 of Laws of 1864, entitled 'An act in relation to the Commissioners of Metropolitan Police of the Metropolitan Police District of the State of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Thayer
Cauldwell	Hale	Mattoon	O'Donnell	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten
Edwards	Humphrey	Nichols	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. O'Donnell offered the following:

Resolved, (if the Assembly concur,) That the following amendment be proposed to the Constitution of this State:

Section 6, of article 10, is hereby amended so as to read as follows:

"The political year and legislative term shall begin on the first day of December; and the Legislature shall every year assemble on the first Tuesday in December, unless a different day be appointed by law."

Resolved, (if the Assembly concur,) That the foregoing amendment be referred to the Legislature to be chosen at the next general election, and that the same be published for three months prior to such election, pursuant to section 1 of article 13 of the Constitution.

Ordered, That said resolutions be laid on the table.

Mr. Genet offered the following:

Resolved, That a respectful message be sent to the Assembly asking for the return of the Assembly bill No. 220, entitled "An act to incorporate 'The Social Maennerchor' of the city of New York."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Tweed offered the following:

Resolved, That a respectful message be sent to the Assembly asking for the return of Assembly bill No. 480, entitled "An act to authorize the congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for deceased members."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the Laws in relation to the village of Whitehall,' passed March 15, 1850, and other acts amendatory thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Morgan and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the incorporation of the village of Fairport, in the county of Monroe,' passed April 12, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and the bill entitled "An act to create a special highway district in the town of Elizabethtown, Essex county," was recommitted to the committee of roads and bridges, with power to report complete.

Mr. Palmer offered the following:

Resolved, That 300 extra copies of the "Final Report of the Trustees of the State Agricultural College," be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and the bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and the bill entitled "An act in relation to the fees of the

clerk of the county of Westchester," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the 'Chapin Home for the Aged and Infirm,' in the city of New York," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Genet and by unanimous consent the committee of the whole were discharged from the further consideration of the bill entitled "An act in relation to regulating and grading the Eighth avenue in the city of New York," and the same was ordered engrossed for a third reading.

On motion of Mr. Van Petten and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town in the counties of Otsego and Herkimer to issue bonds and take stock in said road," was recommitted to the committee on railroads, with power to report complete.

Mr. Chapman offered the following :

Resolved, That no Senator be allowed to speak more than twice, nor more than five minutes each time upon any one question, except by unanimous consent, and that this rule apply to committee of the whole.

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and the bill entitled "An act releasing to the owners of adjoining lands parts of certain streets in the south village of Black Rock," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Banks offered for consideration the following resolution :

Resolved, That the Clerk be directed to procure and deliver to each page of the Senate, one copy of the Manual for the year 1869.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Tweed gave notice that he would, at some future day, move to suspend so much of rule 48 as is in the words following : "And the consent of the Senate to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business, shall not be transmitted to the Governor until the next day thereafter for the transaction of such business," in order to enable him to move for the transmission of certain nominations for Managers of the Western House of Refuge at the next executive session of the Senate that may be ordered.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and the bill entitled "An act in relation to regulating and grading the Eighth avenue in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Cauldwell
Chapman

Hale
Hubbard

Mattoon
Morgan

Palmer
Parker

Tweed
Van Petten

Edwards	Humphrey	Morris	Stanford	Williams	
Genet	Kennedy	Nicks	Thayer		19

FOR THE NEGATIVE.

O'Donnell 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Williams and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to enlarge the boundaries of the city of Auburn," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the People's Savings Bank of the city of New York," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to authorize the purchase of a steam fire engine for the village of Sing Sing," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act declaring the Great Chazy river a public highway, and for regulating the passage of logs and lumber down the same," was recommitted to the committee on commerce and navigation, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to allow the directors of the Union Village and Johnsonville Railroad Company to change its corporate name to that of Greenwich and Johnsonville Railroad Company," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Tweed	
Cauldwell	Hale	Mattoon	Parker	Van Petten	
Chapman	Hubbard	Morgan	Stanford	Williams	
Edwards	Humphrey	Morris	Thayer		19

FOR THE NEGATIVE.

Nichols O'Donnell 2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize certain towns in Oswego county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Oneida lake, Oswego county, to Williamstown or Redfield, in said county, or to Lewis county," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent the rules were suspended, and said bill recommitted to the committee on railroads, with power to report complete.

Mr. Parker, from the committee on railroads, to which was recommitted the bill returned from the Governor, entitled "An act to amend an act entitled "An act to authorize the Fayetteville and Syracuse Plank-road Company to construct a railroad on and near its present route," passed May 19th, 1868," reported that they have made an amendment thereto as directed, and as amended recommend its passage.

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Chapman	Kennedy	Nichols	Stanford	Williams
Edwards	Mattoon	Nicks	Thayer	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to enable lodges and encampments of the Independent Order of Odd Fellows of Oneida county to take, hold, and convey real and personal estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate 'The Rochester Maennerchor,'" reported in favor of the passage of the same with amendments.

On motion of Mr. Morgan and by unanimous consent the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the name of the Yorkville Baptist Church, in the city of New York, to the Central Park Baptist Church," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to incorporate the Yorkville Savings Bank of the city of New York," with a message that they had passed the same with the following amendments—reference to engrossed bill:

Section 3, lines 3 and 4, strike out "for the" and insert "by a vote of two-thirds of."

Section 4, line 5, strike out the word "five" and insert "a majority." Same section, line 8, strike out "at least" and insert "a majority of the." Same section, line 12, strike out "a majority" and insert "a vote of two-thirds." After word "all" in same line, insert "the."

Section 5, line 3, strike out "except by assignment." Line 5, strike out "at least five votes," and insert "a majority of said trustees." Same section, after word "aforesaid" insert "but not to exceed the sum of ten thousand dollars from any individual." Same section, line 56, strike out

"ten," and insert "fifteen." Line 59, same section, after word "amount" insert "than fifteen thousand dollars to any one individual."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as amended.

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Palmer	Thayer
Cauldwell	Hale	Mattoon	Parker	Tw Weed
Chapman	Hubbard	Morris	Stanford	Williams
Edwards	Humphrey	Nicks		

18

FOR THE NEGATIVE.

Morgan	Nichols	O'Donnell	Van Petten	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

The Governor having returned the bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and the acts amendatory thereof," and the vote on the final passage thereof having been reconsidered; on motion of Mr. Gleason and by unanimous consent said bill was amended by adding after the word "follows" in line 6, section 2, engrossed bill, the following:

"§ 17. On or before the first day of May next, and on or before the first day of May in each year thereafter, the board of education shall determine and certify to the trustees of the village of Ogdensburgh the amount of money over and above all other funds in hand applicable to that purpose required for teachers' wages for the year commencing on the first day of April, and said board shall at the same time determine and certify to the said village trustees what sum of money exclusive of any applicable to such purposes is necessary and requisite to defray for ten years the expenses for fuel, books for indigent scholars, school furniture and apparatus, insurance, leasing additional school rooms, repairing houses, out houses, fences and other expenses ordinarily incident to the maintenance of such schools; and the said trustees shall cause to be assessed the several sums of money so certified on the taxable property and corporations within the district hereby organized, and collect the same along with the first village tax thereafter collected, which sums shall be placed with the village treasurer to the credit of the board of education, the first sum to the teachers' fund, and the other sum to the general fund, provided, however, in no case shall the assessment for these purposes, in any one year exceed forty cents on the one hundred dollars on the property valuation of the said assessment rolls liable for said tax, and in addition thereto for the year 1868, the sum of twenty-six hundred dollars, two thousand dollars of which shall be applied to the repair of school buildings, and six hundred dollars to cover present deficiencies; and warrants to collect a greater shall be void. In addition to the sums heretofore authorized to be raised, the said board of education shall at the same time certify to the common council of the city of Ogdensburgh the sum which they shall deem necessary to be raised to pay the salary of the superintendent of schools, not to exceed seven hundred and fifty dollars, and the said common council shall cause the same to be collected

in the same manner as other moneys for the support of the schools in said city, and place the same to the credit of the board of education in the general fund. Whenever the aforementioned assessments are valid, if for any reason the collector is unable to collect the full amount of his warrant, the trustees shall supply any deficiency to these two funds provided for by this section out of any moneys which may come into the village treasury, and shall deposit the same as above provided."

Said bill, as amended, was then read a third time and passed, and ordered transmitted to the Senate for their concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Tweed
Cauldwell	Hale	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams
Edwards	Humphrey	Morris	Stanford	19

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Thayer
Cauldwell	Hubbard	Morgan	O'Donnell	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Stanford	Williams
Genet				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Humphrey moved that the Assembly bill entitled "An act to amend chapter 287 of the Laws of 1853, and to modify and define the duties of the commissioners elected under said act," be made the special order tomorrow, at 12 o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hale moved that the committee on claims be discharged from the further consideration of the Assembly bill entitled "An act for the relief of John Hunter," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Edwards and by upanamous consent the rules were suspended, and the Assembly bill entitled "An act to amend chapter 488 of the Session Laws of 1868, entitled 'An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county,' passed April 30, 1868," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Genet, from the committee on railroads, to which was recommitted the bill entitled "An act authorizing the construction of a railroad through

certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Mattoon	Parker	Tweed
Chapman	Hubbard	Morris	Stanford	Van Petten
Edwards	Humphrey	Nicks	Thayer	Williams
Gonet	Kennedy	Palmer		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the town of Westchester to lay out and construct a highway to be called the Eastern Boulevard," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the town of Richland, Oswego county, to purchase the toll bridge across Salmon river, at Port Ontario, in said town, and to maintain the same as a free bridge," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

On motion of Mr. Kennedy and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of Marathon," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Hale, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to amend section 6 of chapter 70 of Laws of 1845, as amended by section 4, chapter 259 of Laws of 1851, relating to Clinton prison," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the People's Savings Bank, in the city of Buffalo," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Parker and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act in relation to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Dime Savings Bank, in the village of Suffern, in the county of Rockland," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the removal of the Mutual Savings Bank of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Pletten moved that the bill entitled "An act to amend chapter 456 of Laws of 1884, in relation to instruction in academies in common school teaching," be made the special order to-morrow, immediately after the special order at 12 o'clock, M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

In pursuance of previous notice, Mr. Williams moved that rule 40 of the rules and orders of the Senate be suspended, so as to allow the vote by which the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies and in relation to agencies of such companies,' passed June 24, 1853, and to provide against the use of proxies in certain cases," was lost to be reconsidered.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Nichols	Parker	Tweed
Cauldwell	Hubbard	Nicks	Stanford	Van Petten
Chapman	Humphrey	Palmer	Thayer	Williams
Edwards	Mattoon			

17

FOR THE NEGATIVE.

Hale	Morgan	Morris	O'Donnell	4
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Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print final report of the Trustees of the State Agricultural College, reported in favor of the adoption of the following resolution :

Resolved, That 300 copies of the "Final Report of the Trustees of the State Agricultural College," be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Genet moved that the Senate take a recess until 7½ o'clock this evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Morgan	Nicks	Parker
Chapman	Kennedy	Morris	O'Donnell	Williams
Edwards	Mattoon	Nichols		

13

FOR THE NEGATIVE.

Banks	Hubbard	Palmer	Thayer	Van Petten
Hale	Humphrey	Stanford	Tweed	9

Whereupon the Senate took a recess until 7½ o'clock P. M.

SEVEN AND A HALF O'CLOCK, P. M.

The Senate again met.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act releasing to the owners of adjoining lands, parts of certain streets, in the south village of Black Rock," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the incorporation of the village of Fairport, in the county of Monroe,' passed April 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted Assembly bill entitled "An act to authorize the purchase of a steam fire engine in the village of Sing Sing," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the Laws in relation to the village of Whitehall,' passed March 15, 1850, and other acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of Marathon, Cortland county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to enlarge the boundaries of the city of Auburn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act providing for the improvement of Newtown creek, and for the appointment of a commissioner to report exterior lines for piers, wharves and bulkheads therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Great Neck Dock Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to provide for the improvement of the navigation of the Oswegatchie river and of the hydraulic power therein, and to check freshets therein,' passed April 21, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act declaring

Great Chazy river a public highway, and for regulating the passage of logs and lumber down the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act relative to ferries," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings bank of the city of New York,' passed May 7th, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Dime Savings Bank in the village of Suffern, in the county of Rockland," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate 'The Chapin Home for the Aged and Infirm,' in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 26, 1869. }

To the Senate: I return, without my signature, Senate bill No. 70, entitled "An act to amend an act entitled 'An act to supply vacancies in the offices of justices of the peace in the several towns of this State,' passed April 18, 1859."

The bill consists of two sections.

The first section provides that whenever a vacancy shall occur in the office of justice of the peace in any town of this State after the annual town meeting in any year, and before the next annual town meeting in such town, certain town officers, or a majority of them, may appoint a person to fill the vacancy, "and the person so appointed shall hold said office until five days after the then next annual town meeting in said town."

By reference to article 6, section 17 of the Constitution, it will be seen that justices of the peace are elective officers.

The 5th section of article 10 of the Constitution reads thus: "The Legislature shall provide for filling vacancies in office, and, in case of elective officers, no person appointed to fill a vacancy shall hold his office by virtue of such appointment longer than the commencement of the political year next succeeding the first annual election after the happening of the vacancy."

It is obvious that in case of a vacancy occurring after an annual town meeting and before the annual election of the same year, this section would provide that the person appointed to fill the vacancy should continue to hold office after the next succeeding first of January, which would be "the commencement of the political year next succeeding the first annual election after the happening of the vacancy." Such provision of law is forbidden by the Constitution.

The second section of the bill provides that when a vacancy shall exist and a justice of the peace shall have been elected in the town, whose term of office does not commence until the first of January following, "the person so elected shall be appointed to fill such vacancy."

Article 10, section 2 of the Constitution prescribes that "all city, town and village officers, "whose election or appointment is not provided for by this Constitution, shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof as the Legislature shall designate for that purpose."

It is plain that the person pointed out by this act as the one who shall fill the vacancy in the case described in this second section would hold office, while filling the vacancy, neither by election of the electors of the town, or of any portion of them, nor by appointment of the local authorities. The power of appointment, that is, the selection of the person who shall fill the vacancy, is, according to the Constitution, to be conferred absolutely, if conferred at all, upon the local authorities. The Legislature cannot designate in advance what person they shall appoint.

Both sections of the bill are in conflict with the Constitution.

JOHN T. HOFFMAN.

Mr. Folger moved to refer the message to the committee on the judiciary, and to lay the bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate 'The Rochester Maennerchor,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to incorporate the Niagara Ship Canal Company."

Also, the annual message of His Excellency the Governor.

After some time spent therein the President resumed the chair, and Mr. Morgan, from said committee, reported progress and asked and obtained leave to sit again.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act relating to certain non-resident highway taxes in Franklin county."

Assembly, "An act to construct a highway from St. Regis lake to Malone."

Assembly, "An act to establish a ward for the surgical and medical treatment of persons wounded or taken ill in the city of New York, south of Canal street."

Assembly, "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867."

Assembly, "An act relative to the village of Ballston Spa."

Assembly, "An act to restrain dogs from running at large in the county of Rockland."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Chapman called for the consideration of the following resolution :
Resolved, That no Senator be allowed to speak more than twice, nor more than five minutes each time, upon any one question, except by unanimous consent, and that this rule apply to the committee of the whole as well as the Senate.

Mr. Morgan moved to strike out "unanimous consent," and insert "permission of the Senate."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

A division of the resolution being called for,

The President put the question whether the Senate would agree to that part of the resolution limiting debate in Senate, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Morgan	Palmer	
Campbell	Folger	Mattoon	Nicks	Tweed	
Cauldwell	Hubbard				12

FOR THE NEGATIVE.

Bradley	Nichols	Parker	Van Petten	Williams	
Hale	O'Donnell	Stanford			8

The President then put the question whether the Senate would agree to the second branch of the resolution, limiting debate in committee of the whole, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Nicks	Tweed	
Campbell	Chapman	Mattoon	Palmer	Williams	10

FOR THE NEGATIVE.

Beach	Hale	Morris	O'Donnell	Stanford	
Bradley	Kennedy	Nichols	Parker	Van Petten	
Folger	Morgan				12

On motion of Mr. Beach, the Senate adjourned.

TUESDAY, APRIL 27, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act releasing to the owners of adjoining lands parts of streets in the south village of Black Rock."

"An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego."

"An act in relation to regulating and grading the Eighth avenue, in the city of New York."

Also as correctly re-engrossed :

"An act to incorporate the Yorkville Savings Bank of the city of New York."

"An act in relation to the Wallabout improvement in the city of Brooklyn."

"An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Woodlawn cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Dime Savings Bank, in the village of Suffern, in the county of Rockland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey.	Morgan	Stanford
Campbell	Graham	Kennedy	Parker	Thayer
Edwards	Hale	Mattoon	Pierce	Williams
Folger	Hubbard			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enlarge the boundaries of the city of Auburn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	Parker	Van Petten
Chapman	Graham	Mattoon	Pierce	Williams
Crowley	Hale	Morgan		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act declaring the Great Chazy river a public highway, and for regulating the passage of logs and lumber down the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	Parker	Van Petten
Chapman	Graham	Mattoon	Pierce	Williams
Crowley	Hale	Morgan		

23

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the purchase of a steam fire engine in the village of Sing Sing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morris	Stanford
Campbell	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Folger	Mattoon	Parker	Van Petten
Chapman	Genet	Morgan	Pierce	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to annex the village of Lansingburgh to the city of Troy," having been announced for a third reading,

Mr. Van Petten moved to recommit said bill to the committee on municipal affairs, with instructions to amend the same by adding the following section in place of the last section of the bill, to wit:

"§ 12. On the 15th day of May next, there shall be held in the village of Lansingburgh an election, to be conducted in the same manner as is now provided by law for elections, for raising money by tax in said village, at which election all legal voters of said village and none others shall be entitled to vote. The ballots to be cast shall be, 'For consolidation,' and 'Against consolidation.' If a majority of the ballots cast shall be 'For consolidation,' then this act shall take effect on the first day of June, 1868, and not otherwise."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

Mr. Crowley moved to recommit said bill to the committee on municipal affairs, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act releasing to the owners of adjoining lands parts of streets in the south village of Black Rock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Palmer	Thayer
Beach	Graham	Morris	Parker	Tweed
Campbell	Hubbard	Nichols	Pierce	Van Petten
Cauldwell	Humphrey	Nicks	Stanford	Williams
Creamer	Kennedy	Norton		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act

to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Parker
Bradley	Graham	Mattoon	Nicks	Stanford
Campbell	Hale	Morgan	Norton	Thayer
Cauldwell	Hubbard	Morris	O'Donnell	Van Petten
Creamer	Humphrey	Murphy	Palmer	Williams
Edwards				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Whitehall,' passed March 15, 1850, and other acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Pierce
Bradley	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morris	Palmer	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Crowley	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate 'The Rochester Maennerchor,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Nicks	Pierce
Beach	Creamer	Kennedy	Palmer	Thayer
Bradley	Edwards	Mattoon	Parker	Van Petten
Campbell	Hale	Morgan		

18

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley, from the committee on municipal affairs, reported back the Assembly bill entitled "An act to unite the village of Lansingburgh to the city of Troy."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Beach	Crowley	Humphrey	Nicks	Thayer
Bradley	Edwards	Kennedy	Palmer	Tweed
Cauldwell	Genet	Mattoon	Parker	Williams

20

FOR THE NEGATIVE.

Folger	Morris	Norton	O'Donnell	Van Petten
Hale				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Kennedy moved to take from the table the Assembly bill entitled "An act relative to common schools in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

On motion of Mr. Kennedy and by unanimous consent said bill was amended by striking out the amendment made in select committee of nine, and restoring the bill as it came from the Assembly.

Mr. Morgan moved to recommit said bill to the committee on literature, with instructions to amend the same so as to vest in the mayor the appointment of school commissioners.

The President put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mattoon	Morgan
---------	--------

2

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nichols	Parker
Beach	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Kennedy	Norton	Tweed
Campbell	Genet	Morris	O'Donnell	Van Petten
Cauldwell	Hale	Murphy	Palmer	Williams
Chapman				

26

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Palmer
Beach	Crowley	Hubbard	Murphy	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Genet	Mattoon	Norton	Van Petten
Chapman				

26

FOR THE NEGATIVE.

Hale	Morgan	O'Donnell	Parker	Williams
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to certain non-resident highway taxes in Franklin county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Chapman	Hale	Morgan	Palmer	Williams
Creamer	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to construct a highway from St. Regis lake to Malone," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Stanford
Beach	Hubbard	Morris	O'Donnell	Thayer
Campbell	Kennedy	Nichols	Palmer	Tweed
Edwards	Mattoon	Nicks	Parker	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Stanford
Beach	Folger	Mattoon	Nicks	Thayer
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hubbard	Morris	Parker	Williams
Creamer	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the 'Chapin Home for the Aged and Infirm,' in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Palmer	Thayer
Campbell	Hale	Morris	Parker	Tweed
Cauldwell	Hubbard	Nicks	Pierce	Van Petten
Creamer	Kennedy	O'Donnell	Stanford	Williams
Edwards	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to restrain dogs from running at large in the county of Rockland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Creamer	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relative to the village of Ballston Spa," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Creamer	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the incorporation of the village of Fairport, in the county of Monroe,' passed April 12, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Stanford
Beach	Edwards	Humphrey	O'Donnell	Thayer
Campbell	Folger	Kennedy	Palmer	Tweed

Cauldwell	Genet	Morgan	Parker	Van Petten	23
Creamer	Graham	Morris			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Marathon, Cortland county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Palmer	
Campbell	Genet	Kennedy	Nicks	Stanford	
Cauldwell	Graham	Mattoon	Norton	Tweed	
Creamer	Hubbard	Morgan	O'Donnell	Van Petten	21
Edwards					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to establish a ward for the surgical and medical treatment of persons wounded or taken ill in the city of New York south of Canal street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Murphy	Stanford	
Beach	Genet	Kennedy	Nichols	Thayer	
Campbell	Graham	Morgan	O'Donnell	Tweed	
Cauldwell	Hubbard	Morris	Palmer	Van Petten	21
Crowley					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Banks moved to take from the table the Assembly bill entitled "An act authorizing and requiring the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Nichols moved to recommit said bill to the committee on State prisons, with instructions to amend the same as follows :

Section 1, line 3, after the word "required" insert "if the Inspectors of State Prisons shall so direct."

Pending the question, the hour of 12 o'clock having arrived, the Senate resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows :

"An act to amend chapter 550 of the Laws of 1864, in relation to instruction in academies in common school teaching."

Assembly, "An act to amend chapter 287 of the Laws of 1853, and to

modify and define the duties of the commissioners elected under said act."

After some time spent therein the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

The President stated the question to be upon the motion of Mr. Nichols to recommit to the committee on State prisons, with instructions, the Assembly bill relative to transfer of prisoners from Sing Sing prison to the Albany penitentiary.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," having been announced for a third reading,

Mr. Hubbard moved to recommit said bill to the committee on insurance, with instructions to amend the same by inserting after the word "company," in line 14, section 2, the word "hereafter." And also add to said section as follows: "but any company which has already made such election shall not be required to make special deposits for all its policies until after the 1st day of January, 1870."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Campbell presented a remonstrance of citizens of Utica, against increase of tax for city purposes, which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a protest of inhabitants of the town of South Hampton, against the erection of county of Nassau, which was read and referred to the committee on the erection and division of towns and counties.

Also a petition of inhabitants of Astoria, Queens county, for amendment to village charter, which was read and referred to the committee on municipal affairs.

Mr. Campbell presented a petition of Lewis R. Clark and others, for the appraisal of damages sustained by the giving way of North Lake reservoir, which was read and referred to the committee on claims.

Also a petition of citizens of Utica, on canal improvements, which was read and referred to the committee on canals.

Also a memorial of the directors of Hamilton college, asking an appropriation for certain purposes, which was read and referred to the committee on finance.

Mr. O'Donnell presented a petition of Knowlton & Brothers for relief, which was read and referred to the committee on claims.

Mr. Murphy presented a remonstrance of owners of property in the vicinity of South Eighth street and Bushwick avenue, Brooklyn, against the passage of the bill to allow the South Side Railroad Company to use steam power in the streets of Brooklyn, which was read and referred to the committee on railroads.

By unanimous consent, Mr. Genet moved that the special order for this day at 4 o'clock p. m., being the several veto messages of the Governor now lying upon the table, be postponed until Thursday morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the commissioners of exoise of the county of Albany, their appointment, powers and duties," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a workhouse for said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the salary of the keeper of the common jail of the city and county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the purchase of a farm for the town poor of the town of Hempstead, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to erect district No. 5, in the town of Watervliet in the election of town officers, and that said district shall also be the tenth election district in said town for all general elections,' passed March 31, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend chapter 488 of the Session Laws of 1863, entitled 'An act to incorporate the Protective Hook and Ladder Company No. 1 of Hicksville, Queens county,' passed April 30, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Eliza W. Dunlap," as amended by the Assembly, reported that the committee have had the same under consideration, and recommend that the Senate concur in the amendments of the Assembly thereto.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Thayer
Campbell	Folger	Humphrey	Nicks	Tweed
Cauldwell	Genet	Kennedy	Norton	Van Petten
Creamer	Graham	Morgan	Palmer	Williams
Crowley	Hale	Morris	Parker	

24

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of John Bair, Wm. Evans, Wm. Evarts and Evan R. Evans for damages sustained by them in consequence of a break in the Erie canal, at or near Oriskany, on or about the 16th day of June, 1867," as amended by the Assembly, reported that the committee have had the same under consideration, and recommend that the Senate concur in the amendments of the Assembly thereto.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Pierce
Beach	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	Palmer	Van Petten
Edwards	Hubbard	Nichols	Parker	Williams
Folger	Humphrey			

22

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of the legal representatives of William Baldwin, deceased," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Adam W. Smith," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to James H. Gilchrist, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rodey Carey, caused by the waters of the Champlain canal flowing over and running through the tow-

path of said canal in the town of Fort Edward, Washington county, ' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Charles J. DeGraw," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Oscar S. Foster," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Alva Ward and Archibald McVicker," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams moved to take from the table the question agreeing to the report of the committee on literature adverse to the Assembly bill entitled "An act to amend the act to incorporate the Auburn Literary Association."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Williams moved to recommit said bill to the committee on literature.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the New York Burglars' Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the Insurers' Indemnity Company of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to legalize and confirm a certain conveyance heretofore made by the trustees of the congregation Anshi Chesed, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to consolidate the German and French Bethlehem Baptist Church of the city of New York, and the German Pilgrim Baptist Church of the city of New York into a church to be known as the Second German Baptist Church of the city of New York, and to confirm the title to the property of both of the said churches in the said the Second German Baptist Church of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the First Universalist Society of North Salem and vicinity, and the School Society of Ridgebury, to sell certain real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the White Plains Savings Bank," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act to create a special highway district in the town of Elizabethtown, Essex county," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to authorize the town of Richland, Oswego county, to purchase the toll bridge across the Salmon river at Port Ontario, in said town, and to maintain the same as a free bridge," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to plankroad companies in the county of Albany," reported that they have amended the title thereof so as to read, "An act authorizing additional tolls to be collected on plankroads in the county of Albany," and as amended recommended its passage; said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to authorize the town of Westchester to lay out and construct a highway to be called the Eastern Boulevard," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommended the Assembly bill entitled "An act in relation to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out, open, extend and work certain highways in the town of West Farms, known as Fairmount avenue and Berrian avenue, chapter 736, Laws of 1868,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the more

effectual improvement of the roads, bridges and sidewalks in the town of Islip, in the county of Suffolk," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Delaware Bridge Company, in Sullivan county, New York,' passed April 27, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide a supply of water in the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of Jacob Abeel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend section 9 of article 2d of title 1 of chapter 1 of part 2d of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the Saranac River Plankroad Company to establish discriminating tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to lay out, open and improve a public highway or avenue from Prospect park, in the city of Brooklyn, to Coney Island, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus and Wyoming, and to authorize the towns therein to subscribe to the capital stock thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens,' passed March 19, 1861."

"An act for the benefit of the union school in Hamilton, New York, passed 1862."

"An act relating to public alleys in the city of Albany."

"An act to incorporate the Margarettsville Retreat for the Insane."

"An act to amend the charter of the city of Brooklyn."

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed May 1, 1865, and further to alter said map."

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof, in the county of Putnam."

"An act to amend an act entitled 'An act for the regulation of public cemeteries in Saratoga county.'"

"An act to lay out, open and grade an avenue in the towns of Flatbush and New Utrecht, in continuation of Franklin avenue of Flatbush."

"An act to authorize the town of Rome, Oneida county, to issue bonds and purchase fair grounds in said town."

"An act relating to the Jordan academy and free school district No. 4 in the town of Elbridge, in the county of Onondaga."

"An act for the relief of the Chamberlain Institute."

"An act to authorize the towns of Westchester and West Farms to construct a highway in said towns to be known as 'The Fordham and Pelham avenues.'"

"An act to incorporate the village of Chateaugay, in the county of Franklin."

"An act to define and amend 'An act in relation to abandoned canals,' passed April 6th, 1857, being chapter 267 of said Laws."

"An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city through the lands of the Big Rock Cemetery Association."

"An act to appropriate certain moneys of the town of Bradford, in the county of Steuben."

"An act to amend chapter 41 of the Laws of 1864, entitled 'An act in relation to the Commissioners of Metropolitan police of the Metropolitan Police district of the State of New York.'"

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same without amendment:

"An act to amend an act entitled 'An act relative to the Nursery and Child's Hospital of the city of New York,' passed April 17, 1866."

The Assembly also returned the following entitled bill:

"An act to incorporate the Yorkville Savings Bank of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act for the better protection of the public health in the Metropolitan district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to legalize the acts of John Birt, Jr., as notary public," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Crowley and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Pierce
Campbell	Folger	Kennedy	Norton	Stanford
Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Morris	Parker	Williams
Crowley	Hubbard	Nichols		

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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Genet and by unanimous consent the Senate went into executive session, for the confirmation of notaries only, and after some time spent therein the doors were opened and legislative business resumed.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Murphy	Stanford
Beach	Crowley	Graham	Nicks	Williams
Cauldwell	Folger	Morgan	Pierce	

14

FOR THE NEGATIVE.

Campbell	Hale	Kennedy	O'Donnell	Thayer
Chapman	Hubbard	Morris	Palmer	Tweed
Edwards	Humphrey	Norton	Parker	Van Petten

15

Mr. Campbell offered the following :

Resolved, That the Assembly bill entitled "An act to increase the city fund of the city of Utica," be recommitted to the committee on municipal affairs.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Parker
Campbell	Genet	Morgan	O'Donnell	Stanford
Chapman	Humphrey	Murphy	Palmer	Van Petten
Crowley				

16

FOR THE NEGATIVE.

Banks	Edwards	Hubbard	Norton	Thayer
Cauldwell	Graham	Morris	Pierce	Tweed
Creamer	Hale	Nichols		

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Whereupon the Senate adjourned.

WEDNESDAY, APRIL 28, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Bridgman.

The journal of yesterday was read and approved.

Mr. Folger presented a petition of 3,000 citizens of Buffalo, in favor of the passage of amendment of Excise law, as proposed by Hon. P. H. Bender, which was read and referred to the committee of the whole.

Mr. O'Donnell presented a remonstrance of 821 citizens of Buffalo, against said amendment, which was read and referred to the committee of the whole.

Mr. Nichols presented a petition of citizens of Buffalo, in favor of proposed amendment to Constitution to give Legislature power to enlarge canals, and for the appointment of a board of engineers to report plans, &c., was read and laid on the table.

Mr. Murphy presented a remonstrance of owners of land on Washington avenue in Brooklyn and Flatbush, against the bill extending said avenue and the town of Flatbush, which was read and referred to the committee on roads and bridges.

Mr. Hale presented a petition for an appropriation to the Hebrew Benevolent Association, which was read and referred to the committee on finance.

Also a remonstrance of citizens of Ausable, Clinton county, against law to bond Ausable to aid Air Line railroad, which was read and referred to the committee on railroads.

Mr. Hubbard, from the committee on insurance, reported back the bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," with amendments, as directed by the Senate, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 556 of the Laws of 1864, in relation to instruction in academies in common school teaching."

"An act to create a special highway district in the town of Elizabethtown, Essex county."

"An act to amend the charter of the Commercial Warehouse Company of New York."

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the trustees of the village of Warsaw to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village,' passed April 1, 1868," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enable the city of Buffalo to procure a supply of water for the Main and Hamburg Street canal," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Fort Ann Waterworks Company," reported in favor of the passage of the same with amendments.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to increase the 'City Fund' of the city of Utica," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to alter the map or plan of the city of New York by extending Madison avenue," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to revise the charter of the village of Union Springs," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Clyde Waterworks Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter, and to confer additional powers on the trustees of the village of Jamaica," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide a supply of water in the village of Rome," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enable the voters of the village of Lima, Livingston county, to vote on the question of repealing the charter of said village," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to amend the several acts in relation to Union village, in the county of Washington, and to change the name of said village to Greenwich,' passed April 3, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to repeal the act to open and improve Maspeth avenue, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Boonville, in the county of Oneida," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to regulate the use of hackney coaches or other licensed vehicles kept for hire in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16th, 1844," reported in favor of the passage of the same with amendments.

On motion of Mr. Van Petten and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed

March 28, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to require the Brooklyn and Union Ferry Companies to run certain boats in the night-time," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the trustees of the village of Mount Morris to subscribe to the capital stock of the Mount Morris Waterworks Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the village of Hart's Falls to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act providing police officers for the village of Wellsville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close that portion of Dock street, in the Seventeenth ward in the city of Brooklyn, extending from Commercial street to the water line," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act creating a separate road district in the village of Westford, Otsego county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to organize the fire department of the village of Lowville,' passed April 24, 1867," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act supplementary to an act entitled 'An act for the relief of Elizabeth Craft, the widow of Edwin Craft,' passed April 19, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to repair the State works on the west branch of the Oswegatchie river, to improve the navigation thereof and the hydraulic power connected therewith," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act repealing so much of the act entitled 'An act making appropriations for certain expenses of Government, and for supplying deficiencies in former appropriations,' passed May 8, 1868," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have non-concurred in the passage of the same.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of the navigation of the De Grasse river,' passed April 22, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction, completion and equipment of the Buffalo, Corry and Pittsburgh railroad, and to enable any railroad corporation in this State to loan its credit and take stock in said railroad," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act for the better protection of persons traveling on railways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act,' passed May 2, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York Railroad Company, passed April 12, 1861," reported that they have amended the title so as to read as follows: "An act to continue the corporate existence of the Lake Ontario, Auburn and New York Railroad Company," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town in the counties of Otsego and Herkimer to issue bonds and take stock in said road," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize certain towns in Oswego county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Oneida lake, Oswego county, to Williamstown or Redfield, in said county, or to Lewis county," with power to report complete, reported the same complete with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate City Hall Company of the city of Troy," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger stated his dissent from said report, and requested the same entered upon the journal.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Saranac River Plankroad Company to establish discriminating tolls," reported that they have amended the title so as to read "An act authorizing the Saranac River Plankroad Company to establish discriminating tolls and to change its route," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the 'New York and Williamsburgh Bridge Company,' for the purpose of constructing and maintaining a bridge over the East river between the cities of New York and Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend chapter 514 of the Laws of 1865, entitled 'An act to incorporate Williwemoe Water Improvement, Lumber Manufacturing and Land Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Contributors of the New York Dispensary,' passed April 8, 1795," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing Nathaniel I. Terry, of Hector, in the county of Schuyler, to remove the remains of certain persons buried on his premises to the Jones Cemetery ground in said town of Hector," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act concerning the duties of assessors and collectors of taxes," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the assessment of the town of Clifton, in the county of St. Lawrence," reported adversely thereto.

Mr. Parker moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the Clifton Iron Company to issue a preferred stock, and to amend chapter 195 of the Laws of 1868, entitled 'An act to enable the Clifton Iron Company to transport

passengers and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12th, 1859," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the village of Olean, Cattaraugus county, of which William Bagnall died seized, to Jacob Cook," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 9 of article 2d of title 1 of chap. 1 of part 2d of the Revised Statutes," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act granting certain lands between high and low water mark on Crane Neck, Long Island Sound," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Newtown, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the attendants, messengers and officers of the Supreme Court of Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to amend the laws relative to banking, and to grant facilities to associations for establishing banks equal to those afforded by the national currency act," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Palmer stated his dissent from said report, and it was ordered entered on the journal.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the abatement of a public nuisance at Auburn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was recommitted the Assembly bill entitled "An act authorizing and requiring the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to raise money to build a bridge in the town of Corroll, Chautauqua county, N. Y."

Assembly, "An act to amend title 7 of chap. 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower."

Assembly, "An act regulating the preparation of medical prescriptions."

Assembly, "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway."

Assembly, "An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego."

Assembly, "An act to close a portion of old Bushwick road or avenue, between Remsen street and Meserole street, and between Boerum street and McKibben street."

Assembly, "An act to regulate the term of office of notaries public."

Assembly, "An act in relation to the Eclectic Medical College of the city of New York."

Assembly, "An act to amend an act entitled 'An act to lay out, construct and maintain a public road from the foot of East Second street in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county,' passed May 1, 1868, and supplemental thereto."

Assembly, "An act to amend an act entitled 'An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens,' passed April 29, 1868, and supplemental thereto."

"An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park, from Atlantic avenue, in said city."

Assembly, "An act to provide for laying out, opening and maintaining a public street or highway in the village and town of Lyons, in the county of Wayne."

Assembly, "An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860, and also to amend an act entitled 'An act to amend an act entitled 'An act revising the charter of the city of Oswego,' passed May 9, 1867.'"

Assembly, "An act to authorize the town of Ellisburgh, in the county of Jefferson, to raise money to build town house."

Assembly, "An act to fix the bail of the overseer of highways of the town of Hamburg, in the county of Erie."

Assembly, "An act to amend an act entitled 'An act to provide for the laying out and opening of a public highway in the town of Newburgh,' passed April 30, 1868."

Assembly, "An act to incorporate the Abingdon Square Savings Bank of the city of New York."

"An act to amend the charter of the Commercial Warehouse Company of New York."

Assembly, "An act to extend the provisions of chapter 463 of the Laws of 1853, in relation to life and health insurance companies."

Assembly, "An act to incorporate 'The Oneida County Savings Bank,' in the village of Rome."

Assembly, "An act to incorporate the Berge Choral Union."

Assembly, "An act to amend an act entitled 'An act for the incorporation of villages,' passed December 7, 1847, so far as the same is applicable to the village of Canandaigua."

Assembly, "An act to incorporate the People's Savings Bank, in the city of Buffalo."

Assembly, "An act to authorize the removal of the Mutual Savings Bank of the city of Brooklyn."

Assembly, "An act to incorporate the White Plains Savings Bank."

Assembly, "An act to amend an act entitled 'An act to lay out, open, extend and work certain highways in the town of West Farms, known as Fairmount avenue and Berrian avenue,' chapter 736, Laws of 1868."

Mr. Mattoon moved to lay upon the table the question agreeing to the report of the committee upon the bill entitled "An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego."

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee upon the remaining entitled bills, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14, 1868, and extend and change the route of said road and confer additional powers on the commissioners under said act," with a message that they had concurred in the passage thereof with the following amendments:

Section 3, line 7, printed bill, strike out "or otherwise."

Section 5, line 15, strike out "ten" and insert "seventeen."

Section 7, line 12, strike out "ten" and insert "seventeen."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Pierce
Bradley	Edwards	Hubbard	Morris	Thayer
Campbell	Genet	Humphrey	Palmer	Tweed
Caldwell	Graham	Kennedy	Parker	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend the charter of the Hamilton Savings Bank," with a message that they had concurred in the passage thereof with the following amendments:

Section 1, line 2, printed bill, after the word "of" insert "the third or south ward in."

Section 2, line 1, strike out "seven" and insert "a majority."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Folger	Hubbard	Parker	
Beach	Chapman	Genet	Humphrey	Pierce	
Bradley	Creamer	Graham	Mattoon	Tweed	
Campbell	Edwards	Hale	Palmer	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Central Savings Bank of the city of New York," with a message that they had concurred in the passage thereof with the following amendments:

Section 4, line 5, engrossed bill, strike out "seven" and insert "a majority." Same section, line 9, strike out "five" and insert "a majority." Same section, line 13, strike out "for" and insert "a vote of two-thirds of all the trustees shall be requisite for."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	Pierce	
Beach	Creamer	Hubbard	Morris	Thayer	
Bradley	Edwards	Humphrey	Nicks	Tweed	
Campbell	Folger	Kennedy	Parker	Williams	
Cauldwell	Graham				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," with a message that they had concurred in the amendments of the Senate thereto, except sections 5 and 10, in which they do not concur.

Mr. Pierce moved that the Senate insist upon its amendments, and that a committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist on a portion of their amendments, and request a committee of conference.

The Assembly returned, pursuant to a resolution of the Senate, the Assembly bill entitled "An act to authorize the congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for its deceased members."

By unanimous consent, Mr. Tweed moved to reconsider the vote agreeing to the report of the committee adverse thereto.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Tweed moved that said bill be recommitted to the committee on charitable and religious societies.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly returned, pursuant to a resolution of the Senate, the Assembly bill entitled "An act to incorporate 'The Social Maennerchor,' of the city of New York."

By unanimous consent, Mr. Genet moved to reconsider the vote agreeing to the report of the committee on charitable and religious societies adverse to said bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Genet moved to recommit said bill to the committee on charitable and religious societies.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5th, 1860," with a message that they had concurred in the passage thereof with the following amendments:

Section 3, line 8, printed bill, strike out "every" and insert "three." Change "month" to "months."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Parker
Bradley	Edwards	Humphrey	Nichols	Pierce
Campbell	Graham	Kennedy	O'Donnell	Thayer
Cauldwell	Hale	Mattoon	Palmer	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act for the relief of Eli A. Bronson," with a message that they had consented to a committee of conference, and appointed as such committee on the part of the Assembly, Messrs. H. Ray, Kilham, N. B. Smith, La Moree and Tilden.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 27, 1869.*

His Excellency the Governor having, in pursuance of a joint resolution of the Senate and Assembly, returned the bill entitled "An act in relation to a public park in the city of Albany," and the vote on the final passage of the same having been reconsidered; on motion of Mr. A. W. Smith and by unanimous consent said bill was amended as follows: Section 5, in lines 24 and 25, engrossed bill, strike out the words "parade ground," and insert in lieu thereof the word "park." In last line of section 7, strike out the word "eight," and insert in lieu thereof the word "nine." Said bill, as amended, was read a third time and passed, and ordered sent to the Senate for concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Beach	Edwards	Kennedy	Norton	Thayer
Campbell	Genet	Mattoon	O'Donnell	Tweed.
Cauldwell	Hale	Morris	Parker	Williams
Chapman	Hubbard	Nichols		

23

The President then put the question whether the Senate would agree to concur in said amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Genet	Morris	O'Donnell	Tweed
Cauldwell	Hale	Nichols	Parker	Williams
Chapman	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence a resolution, in the words following :

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting him to return the Assembly bill entitled "An act to incorporate the Buffalo Turnverein," for amendment.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly also sent for concurrence a resolution, in the words following :

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return of the Assembly bill entitled "An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county," for the purpose of correction.

On motion of Mr. Edwards and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the concurrent resolution for the election of a Regent of the University, and a Commissioner of Metropolitan Police, with a message that they had concurred in the passage of the same without amendment.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the reconstruction of a dam on the Seneca river at Baldwinsville, for canal purposes," reported in

favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford stated his dissent from said report, and requested the same to be entered upon the journal.

The bill entitled "An act to amend chapter 556 of the Laws of 1864, in relation to instruction in academies in common school teaching," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Stanford
Bradley	Edwards	Hubbard	Nicks	Thayer
Campbell	Genet	Humphrey	O'Donnell	Tweed
Cauldwell	Graham	Kennedy	Parker	19

FOR THE NEGATIVE.

Chapman	Folger	Mattoon	Morris	Williams
Crowley				6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 287 of the Laws of 1853, and to modify and define the duties of the commissioners elected under said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hubbard	Morgan	O'Donnell	Stanford
Chapman	Humphrey	Morris	Palmer	Thayer
Edwards	Kennedy	Norton	Parker	Williams
Hale	Mattoon			17

FOR THE NEGATIVE.

Beach	Creamer	Folger	Nichols	Tweed
Bradley	Crowley			7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 488 of the Session Laws of 1868, entitled 'An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county,' passed April 30, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	O'Donnell	Stanford
Bradley	Hubbard	Morris	Palmer	Thayer
Campbell	Humphrey	Nicks	Parker	Tweed

Chapman	Kennedy	Norton	Pierce	Williams	22
Edwards					

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to create a special highway district in the town of Elizabethtown, Essex county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Stanford	
Bradley	Folger	Humphrey	Norton	Thayer	
Campbell	Genet	Kennedy	Palmer	Tweed	
Cauldwell	Hale	Morris	Parker	Williams	
Creamer					21

FOR THE NEGATIVE.

O'Donnell	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 276 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Morris	O'Donnell	Thayer	
Bradley	Hale	Murphy	Palmer	Tweed	
Campbell	Humphrey	Nichols	Parker	Williams	
Chapman	Kennedy	Nicks	Pierce		19

FOR THE NEGATIVE.

Crowley	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the town of Richland, Oswego county, to purchase the toll bridge across the Salmon river at Port Ontario, in said town, and to maintain the same as a free bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Stanford
Campbell	Folger	Humphrey	O'Donnell	Thayer
Cauldwell	Genet	Kennedy	Palmer	Tweed
Chapman	Graham	Mattoon	Parker	Williams
Creamer	Hale	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	Norton	Thayer
Cauldwell	Genet	Kennedy	Palmer	Tweed
Chapman	Hale	Mattoon	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Kennedy	Norton	Thayer
Cauldwell	Genet	Mattoon	Palmer	Tweed
Chapman	Graham	Nichols	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend title 7, chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE

Bradley	Folger	Hubbard	Nicks	Stanford
Cauldwell	Genet	Kennedy	Palmer	Thayer
Creamer	Graham	Mattoon	Parker	Tweed
Edwards	Hale	Nichols	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend the charter of the Commercial Warehouse Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Parker	Thayer
Campbell	Genet	Kennedy	Pierce	Tweed
Cauldwell	Graham	Mattoon	Stanford	Williams
Chapman	Hubbard	Palmer		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize life insurance companies to make special deposits of securities in the Insurance Department, and to authorize the Superintendent of said Department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Tweed
Chapman	Hubbard	Morris	Pierce	Williams
Creamer	Humphrey	Murphy		

18

FOR THE NEGATIVE.

Campbell	Folger	Mattoon	O'Donnell	Thayer
Crowley	Hale	Nichols	Parker	

9

When the name of Mr. Palmer was called, he asked to be excused from voting.

The President put the question whether the Senate would agree to said motion to excuse Mr. Palmer, and it was decided in the affirmative.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly sent for concurrence the bills entitled as follows :

"An act to amend the charter of the Buffalo and Williamsville Railroad Company, and to authorize the city of Buffalo and the town of Amherst, in the county of Erie, to subscribe to the capital stock of said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amending

tory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the managing board of the Gowanda Agricultural, Horticultural and Mechanical Society to assess and levy a tax upon the capital stock sufficient to pay for the real estate purchased and used by said society for exhibition grounds, and the expenses of levying and collecting the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to regulate the forfeiture of policies of life insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend an act entitled 'An act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads,' passed May 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize and allow all persons who sustained damages to their property, situated on the pier, in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 21st day of April, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to and amendatory of the act entitled 'An act in relation to frauds in assessments in local improvements in the city of New York,' passed April 17, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to facilitate the construction of the Northern Air Line railroad, and to authorize the issuing and guaranteeing of bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend the charter of the Insurers' Own Fire Insurance company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act in relation to the bridges over Black river at Beach's and Illingworth's landings, and the roads leading thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the erection of school buildings, and the maintenance of a manual labor school, upon the Tonawanda Reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act for the relief of Mary Ann Millis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan moved that the Assembly bill entitled "An act to provide for the erection of school buildings, and the maintenance of manual labor schools upon the Tonawanda Reservation," be made the special order immediately.

Mr. Hubbard moved to amend so as to include the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads."

Mr. Folger moved to amend so as to include also Senate bill entitled "An act to amend chapter 380 of the Laws of 1859, entitled 'An act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting,' passed April 15, 1859, and chapter 740 of the Laws of 1865, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage,' passed May 13, 1865."

The President put the question whether the Senate would agree to said amendment of Mr. Folger, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Stanford
Chapman	Humphrey	Morgan	Palmer	Thayer
Crowley	Kennedy	Nicks	Parker	Williams
Folger				

16

FOR THE NEGATIVE.

Bradley	Edwards	Hubbard	Nichols	Pierce
Cauldwell	Genet	Morris	Norton	Tweed
Creamer	Graham	Murphy		

13

Mr. Hale moved to amend so as to include the bill entitled "An act to repeal title 19, article 1, chapter 20, part 1, second Revised Statutes, entitled 'Regulations concerning brokers.'"

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Folger moved to amend by including also the bill entitled "An act to amend an act entitled 'An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal in the village of Seneca Falls,' passed May 6, 1868, and to secure the north bank of said canal."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Williams moved to amend by including also the Assembly bill entitled "An act to authorize the reopening of old, and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal."

The President put the question whether the Senate would agree to said

motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The President then put the question whether the Senate would agree to said motion of Mr. Hubbard, to amend, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Norton	Stanford
Bradley	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Murphy	Pierce	Van Petten
Creamer	Hubbard			

22

FOR THE NEGATIVE.

Campbell	Folger	Nichols	Nicks	Williams
Crowley	Kennedy			

7

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said special order, being the bills entitled as follows:

Assembly, "An act to provide for the erection of school buildings, and the maintenance of a manual labor school, upon the Tonawanda Reservation."

Assembly, "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads."

After some time spent therein the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nichols, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Parker moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President then put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Humphrey	O'Donnell	Thayer
Creamer	Hale	Mattoon	Parker	Tweed
Edwards	Hubbard	Morris	Stanford	Van Petten
Genet				

16

FOR THE NEGATIVE.

Banks	Chapman	Kennedy	Nichols	Palmer
Beach	Crowley	Morgan	Nicks	Pierce
Campbell	Folger	Murphy	Norton	Williams

15

The President appointed as the committee of conference on the Assembly bill entitled "An act to amend an act entitled 'An act to establish fire limits and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," Messrs. Pierce, Banks and Folger.

Mr. Pierce called for the consideration of the concurrent resolution, as follows:

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return to this House of Assembly bill No. 230, entitled "An act to incorporate the Independent Turnverein, in the city of Brooklyn," for the purpose of amending the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Murphy offered the following:

Whereas, By an act entitled "An act to establish and protect national cemeteries," approved February 22, 1867, Congress has adopted a uniform system for the management and care of all the Soldiers' National Cemeteries throughout the United States, and made provisions for their maintenance; and whereas the State of Pennsylvania have, by an act approved the 14th of April, 1868, ceded and relinquished to the United States all its title to the grounds and property of the Soldiers' National Cemetery, at Gettysburgh, vested in it in trust for the States which participated in the establishment of said National Cemetery, of which States the State of New York was one; therefore,

Resolved, (if the Assembly concur,) That the State of New York hereby consents to and approves of the said cession by the State of Pennsylvania to the United States of the Soldiers' National Cemetery in Gettysburgh.

Ordered, That said resolution be laid on the table.

Mr. Murphy moved that the Assembly bill entitled "An act to provide additional compensation to deputies, clerks and assistants in the various departments of the State government," be made the special order to-morrow at 1 o'clock.

Mr. O'Donnell moved to include the Assembly bill entitled "An act making appropriations for support of government."

A division of the question being called for,

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President then put the question whether the Senate would agree to said motion of Mr. Murphy, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Parker	Tweed
Cauldwell	Hale	Morris	Pierce	Van Petten
Chapman	Hubbard	Murphy	Stanford	Williams
Edwards	Kennedy	Nichols		

23

FOR THE NEGATIVE.

Creamer	Crowley	Folger	Norton
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4

Mr. Nichols offered the following:

Resolved, That the Canal Board be requested to report to the next Legislature such system of precautionary measures or plan of action as in their judgment will be most likely to prevent the Tonawanda creek

with reference to its use as a part of the Erie canal, from overflowing its banks, and the damages resulting from such overflow.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Pursuant to previous notice, Mr. Morris moved to rescind so much of rule 48 as reads as follows: "And the consent of the Senate to the appointment of any officer nominated by the Governor, given on any day of the transaction of executive business, shall not be transmitted to the Governor until the next day thereafter for the transaction of such business."

Mr. Crowley moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Palmer	Van Petten
Chapman	Hale	Nicks	Parker	Williams
Crowley	Humphrey	Norton	Stanford	19

FOR THE NEGATIVE.

Banks	Edwards	Morris	Murphy	Pierce
Creamer	Graham			7

By unanimous consent, Mr. O'Donnell moved to recommit the Assembly bill entitled "An act making appropriations for the support of government," to the committee on finance, with power to report complete.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger offered the following:

Resolved, That for the remainder of the session, any member of the select committee of nine who is unable to be present at a meeting of the committee, shall have the power to name a Senator to take his place for that meeting.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon offered the following:

Resolved, That 1,000 copies of the report of the Commissioners of Quarantine be printed for the use of the Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Tweed moved that the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of liquors in the Metropolitan Police district,' passed 1866," be made the special order to-morrow at 2 o'clock P. M.

Mr. Folger moved to amend so as to include the bill entitled "An act to amend chapter 380 of the Laws of 1859, entitled 'An act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting,' passed April 15, 1859, and chapter 740 of the Laws of 1865, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage,' passed May 13, 1865."

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer
Chapman	Kennedy	Nicks	Parker	Van Petten
Folger	Mattoon	O'Donnell	Stanford	Williams
Hale				

18

FOR THE NEGATIVE.

Banks	Creamer	Genet	Morris	Norton
Bradley	Crowley	Graham	Murphy	Pierce
Cauldwell	Edwards	Hubbard	Nichols	Tweed

15

The President then put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed

15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

Mr. O'Donnell moved to take from the table the veto message of the Governor to the bill entitled "An act to provide for filling vacancies in the office of justices of the peace in Lowville, Lewis county."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer
Folger	Kennedy	Nichols	Parker	Van Petten
Hale	Mattoon	O'Donnell	Stanford	

14

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Hubbard	Murphy
Beach	Creamer	Graham	Morris	Pierce
Bradley	Edwards			

12

Mr. O'Donnell moved to refer the message to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nicks	Parker	Tweed
Crowley	Mattoon	O'Donnell	Stanford	Van Petten
Hale	Morgan	Palmer	Thayer	Williams
Humphrey				

16

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Nichols	Pierce
Bradley	Edwards	Hubbard		

13

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend chapter 531 of the laws of 1866, entitled 'An act to

amend chapter 144 of the Laws of 1865, entitled 'An act to incorporate Albion Lodge No. 212, of the Independent Order of Odd Fellows of Northern New York, in the village of Albion, in the county of Orleans.'

"An act for the relief of Jared T. Abernethy, and to authorize a tax on school district No. 6, of the towns of Madrid and Waddington, in the county of St. Lawrence, and the payment of the amount thereof to him."

"An act to incorporate the Warsaw Waterworks Company."

"An act to correct the taxes of 1868, of the city of Brooklyn, so far as the same relate to the cost of the improvement of Third street, in said city, and to provide for assessing and collecting said cost."

"An act to enable the 'New York Elevator Company' to complete its organization and commence business."

"An act to repeal chapter 812 of the Laws of 1868, entitled 'An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wallkill river,' passed May 11, 1868."

"An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds and take stock in any company now organized, or that may be hereafter organized within five years after the passage of this act, for the purpose of building a railroad from Mechanicsville, Saratoga county, to connect with the Rensselaer and Saratoga railroad in the town of Moreau, Saratoga county, or in the town of Fort Edward, Washington county."

"An act to incorporate the village of Charlotte, in the county of Monroe."

"An act to amend chapter 349 of the Laws of 1855, entitled 'An act incorporating the Oswego fire department of the city of Oswego,' passed April, 1855."

"An act to incorporate the Chehocton Bridge Company, in Delaware county."

"An act to incorporate the trustees for the management and care of the property for the support of the episcopate of the diocese of Albany."

"An act authorizing the board of supervisors of the county of Broome to contract with the board of supervisors of the county of Albany for the keeping in the Albany penitentiary of persons convicted of crime in the county of Broome, and to contract with the board of supervisors of the county of Onondaga for the keeping in the Onondaga county penitentiary, at Syracuse, of persons convicted of crime in the county of Broome."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend chapter 276 of the Laws of 1869, entitled 'An act to amend an act entitled 'An act to establish courts of civil and criminal jurisdiction in the city of Brooklyn,' passed March 24, 1849.'"

Also as correctly re-engrossed:

"An act to incorporate the Central Savings Bank of the city of New York."

The Assembly sent for concurrence the bills entitled as follows:

"An act making appropriations for certain expenses of government and for supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend chapter 624 of the Laws of 1866, entitled 'An act to authorize the towns of Wilna, Champion, Rutland, Watertown, Hounsfield, Philadelphia, Theresa, Clayton, Alexandria, Orleans, Brownsville,

Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take, for said towns, capital stock in the Utica and Black River Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the Mediterranean and Oriental Steam Navigation Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act releasing the interests of the State in certain lands of which Matthew Hutchinson died possessed to John Hutchinson, his brother," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize and confirm the articles of association of the Black River and St. Lawrence Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the building of a public market in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to change the corporate name of the Pawners' Bank of the city of New York to the Loaners' Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed May 19th, 1868.'"

The Assembly also returned the following entitled bill:

"An act to amend the charter of the Hamilton Savings Bank."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to regulate, grade and macadamize certain pieces of highway in the town of Westchester, in the county of Westchester, and known as the Fort Schuyler, Pelham Bridge, West Farms, William Bridge, and Westchester and East Chester roads and Union avenue."

"An act to amend an act passed April 18th, 1860, entitled 'An act to encourage the construction of sidewalks in the village of Unadilla, Otsego county.'"

"An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1847, so far as relates to the village of Valatie, in the county of Columbia."

"An act to legalize the acts of Edmund B. Graham, a notary public in and for Oneida county."

"An act to release the interest of the State in the real estate of which Mary Baird, late of Ithaca, Tompkins county, New York, died seized, to Mary Jane Drake of said town."

"An act to incorporate the Equitable Savings Institution of the city of New York."

"An act to incorporate the village of McGrawville, Cortland county."

"An act to amend an act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation,' passed April 24, 1868."

"An act to incorporate the Stuyvesant Savings Bank in the city of New York."

"An act to incorporate the village of Tottenville, in the town of Westfield, county of Richmond."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled "An act to enable incorporated rural cemetery associations in the town of Hornellsville to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," with a message that they had consented to a committee of conference, and appointed as such committee on the part of the Assembly, Messrs. S. Mitchell, Cook, Richardson, Root and Tilden.

Mr. Williams moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Morris	O'Donnell
Bradley	Folger	Kennedy	Murphy	Palmer
Campbell	Genet	Mattoon	Nichols	Parker
Cauldwell	Graham	Morgan	Nicks	Stanford
Crowley				

21

FOR THE NEGATIVE.

Hale	Pierce	Thayer	Tweed	Van Petten	5
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Whereupon the Senate adjourned.

THURSDAY, APRIL 29, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Cull.

The journal of yesterday was read and approved.

The President presented a communication from the Secretary of State, in the words following:

IN ASSEMBLY, April 27, 1869.

TO HON. ALLEN C. BEACH, *President of the Senate*:

Sir: I have received from Mr. E. B. O'Callaghan the translation of the records of New Netherlands, made by authority of chapter 529 of the Laws of 1865, from the original Dutch manuscripts in the office of the Secretary of State.

I respectfully suggest the publication of the same as a continuation of the series of historical papers already published by the State.

Very respectfully yours,

H. A. NELSON, *Secretary of Sta*

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Berge Choral Union," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Parker	Thayer
Campbell	Hubbard	Morgan	Pierce	Tweed
Creamer	Humphrey	O'Donnell	Stanford	Williams
Edwards	Kennedy			

17

FOR THE NEGATIVE.

Folger	Hale			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park from Atlantic avenue, in said city."

The Assembly bill entitled "An act to incorporate the White Plains Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Morris	Parker	Thayer
Creamer	Hubbard	Nicks	Pierce	Tweed
Edwards	Humphrey	Palmer	Stanford	Williams
Folger	Kennedy			

17

FOR THE NEGATIVE.

Morgan				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Oneida County Savings Bank, in the village of Rome," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Humphrey	Nicks	Thayer
Creamer	Graham	Kennedy	O'Donnell	Tweed
Edwards	Hale	Mattoon	Parker	Van Petten
Folger	Hubbard	Morris	Stanford	Williams

20

FOR THE NEGATIVE.

Morgan				
--------	--	--	--	--

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the removal of the Mutual Savings Bank of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	O'Donnell	Tweed
Campbell	Hubbard	Morgan	Parker	Van Petten
Edwards	Humphrey	Morris	Stanford	Williams
Graham	Kennedy	Nichols	Thayer	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Eclectic Medical College of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Parker	Tweed
Creamer	Hubbard	Morgan	Pierce	Van Petten
Edwards	Humphrey	Morris	Stanford	Williams
Graham	Kennedy	O'Donnell		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the People's Savings Bank of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Tweed
Beach	Graham	Kennedy	Nichols	Van Petten
Creamer	Hale	Mattoon	Parker	Williams
Edwards	Hubbard	Morgan	Thayer	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the town of Ellisburgh, in the county of Jefferson, to raise money to build town house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Stanford
Beach	Graham	Mattoon	O'Donnell	Thayer
Bradley	Hale	Morgan	Palmer	Van Petten
Campbell	Hubbard	Morris	Parker	Williams
Edwards	Humphrey	Nichols		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to regulate the term of office of notaries public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Beach	Graham	Mattoon	Nicks	Thayer
Campbell	Hale	Morgan	Palmer	Van Petten
Edwards	Hubbard	Morris	Parker	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to lay out, construct and maintain a public road from the foot of East Second street in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county,' passed May 1st, 1868, and supplemental thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Thayer
Beach	Hale	Mattoon	Palmer	Tweed
Bradley	Hubbard	Morgan	Parker	Van Petten
Edwards	Humphrey	Morris	Stanford	Williams
Folger				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860, and also to amend an act entitled 'An act to amend an act entitled 'An act revising the charter of the city of Oswego,' passed May 9, 1867,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Stanford
Beach	Graham	Kennedy	O'Donnell	Thayer

Bradley
Campbell
Edwards

Hale
Hubbard

Mattoon
Nichols

Palmer
Parker

Van Petten
Williams

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens,' passed April 29, 1868, and supplemental thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach
Campbell
Edwards
Folger

Graham
Hale
Hubbard
Humphrey
Kennedy

Mattoon
Nichols
Nicks
O'Donnell

Palmer
Parker
Pierce
Stanford

Thayer
Tweed
Van Petten
Williams

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to close a portion of old Bushwick road or avenue, between Remsen street and Meserole street, and between Boerum street and McKibben street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach
Bradley
Edwards
Folger

Genet
Graham
Hale
Hubbard
Humphrey

Kennedy
Mattoon
Morgan
Nichols
Nicks

Norton
Palmer
Parker
Pierce
Stanford

Thayer
Tweed
Van Petten
Williams

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize a tax of one and a half mill per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State," having been announced for a third reading,

Mr. Stanford moved to recommit said bill to the committee on canals, with instructions to strike out the following paragraphs:

"For raising the State dam at Troy so as to carry out the plan adopted by State Engineer and Surveyor, the sum of \$5,000 or so much thereof as may be necessary, in addition to the value of material on hand for such work.

"For changing plans of bridges constructed or to be constructed on the eastern division, the sum of \$50,000 or so much thereof as may be necessary.

"For changing plan of bridges constructed or to be constructed on the middle division, and for deepening the ditch leading from the Chemung canal feeder to the Chemung canal across the lands belonging to the heirs of Matthew Jay, &c., deceased, and others, the sum of \$40,000 or so much thereof as may be necessary.

"For changing plans of bridges constructed or to be constructed on the western division, including the building of two bridges in the city of Buffalo, one over the Ohio basin slip at Fulton street, and one over the Erie canal at Georgia street, \$50,000 or so much thereof as may be necessary."

The President put the question whether the Senate would agree to strike out "For raising the State dam at Troy so as to carry out the plan adopted by State Engineer and Surveyor, the sum of \$5,000 or so much thereof as may be necessary, in addition to the value of material on hand for such work," and it was decided in the negative.

The President then put the question whether the Senate would agree to strike out the remainder of said paragraphs, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hale	O'Donnell	Stanford	Williams	
Folger	Humphrey	Parker			8

FOR THE NEGATIVE.

Bradley	Crowley	Mattoon	Nichols	Thayer	
Cauldwell	Hubbard	Morgan	Nicks	Tweed	
Chapman	Kennedy	Morris	Norton	Van Petten	15

Mr. Stanford moved to recommit said bill with instructions to strike out "or to be constructed."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Stanford and by unanimous consent said bill was amended as follows:

"Provided, however, that no bridge on change of plan shall be constructed until he plan and specifications shall have been submitted to and approved by the Canal Board, and no work duly advertised and let to the lowest bidder without reference to the repair contractor."

Mr. Tweed moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, when the vote was as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Hale	Norton	Stanford	Van Petten	
Edwards	Humphrey	O'Donnell	Tweed	Williams	
Folger	Murphy	Parker			13

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Morris	Nicks	
Bradley	Graham	Mattoon	Nichols	Thayer	
Chapman	Hubbard	Morgan			13

There being a tie vote, the President voted in the affirmative, and declared the motion carried.

The Assembly bill entitled "An act to fix the bail of the overseer of highways of the town of Hamburg, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Norton	Tweed
Campbell	Hale	Mattoon	O'Donnell	Van Petten
Cauldwell	Hubbard	Morgan	Parker	Williams
Edwards	Humphrey	Morris	Thayer	19

FOR THE NEGATIVE.

Nicks

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act regulating the preparation of medical prescriptions," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Stanford.
Beach	Crowley	Kennedy	Nicks	Thayer
Campbell	Edwards	Mattoon	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten 20

FOR THE NEGATIVE.

Folger

Graham

Williams

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for laying out, opening and maintaining a public street or highway in the village and town of Lyons, in the county of Wayne," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford
Beach	Crowley	Hubbard	O'Donnell	Thayer
Campbell	Edwards	Humphrey	Parker	Van Petten
Cauldwell	Graham	Mattoon	Pierce	Williams 20

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to raise money to build a bridge in the town of Carroll, Chautauqua county, N. Y.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Nicks	Thayer
Campbell	Edwards	Humphrey	Palmer	Tweed
Cauldwell	Folger	Mattoon	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park, from Atlantic avenue, in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nicks	Thayer
Campbell	Graham	Kennedy	O'Donnell	Tweed
Cauldwell	Hale	Mattoon	Palmer	Van Petten
Edwards	Hubbard	Nichols	Pierce	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the laying out and opening of a public highway in the town of Newburgh,' passed April 30, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Palmer	Thayer
Campbell	Edwards	Humphrey	Parker	Tweed
Cauldwell	Graham	Kennedy	Pierce	Van Petten
Chapman	Hale	Nicks	Stanford	19

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend the provisions of chapter 463 of the Laws of 1853, in relation to life and health insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Parker	Tweed
Campbell	Folger	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Nichols	Stanford	Williams
Chapman	Hubbard	Nicks		

18

FOR THE NEGATIVE.

Hale

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize certain towns in Oswego county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Oneida lake, Oswego county, to Williamstown or Redfield, in said county, or to Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Palmer	Tweed
Campbell	Graham	Mattoon	Parker	Van Petten
Cauldwell	Hale	Norton	Pierce	Williams
Creamer	Hubbard	O'Donnell	Stanford	

19

FOR THE NEGATIVE.

Beach	Crowley	Folger	Nichols	Nicks
Chapman				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols moved to take from the table the bill entitled "An act to authorize a tax of one and a half mill per dollar of valuation, for construction of new work upon and extraordinary repair of the canals of this State."

The President put the question whether the Senate would agree to said motion to take from the table; and it was decided in the affirmative.

Mr. Morgan moved to recommit said bill to the committee on canals, with instructions to reduce the appropriation to \$2,600,000, the amount to be appropriated in the discretion of said committee.

Mr. Folger moved to amend the motion of Mr. Morgan, "to recommit with instructions to deduct \$1,000,000 from the aggregate appropriation, which shall in the detail be deducted from items in the bill providing for new work or work on a change of plan."

Mr. Folger moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	O'Donnell	Pierce
Bradley	Graham	Murphy	Parker	Stanford
Creamer	Hale	Norton		

13

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Nicks	Tweed
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Chapman	Kennedy	Nichols	Thayer	Williams
Crowley	Mattoon			17

Pending the question on the motion of Mr. Folger, the hour of 12 o'clock having arrived, the President announced that pursuant to law, and agreeably to a joint resolution of the Senate and Assembly, the Senate would proceed to nominate a candidate for Regent of the University in place of Rev. Isaac Parks, D. D., deceased.

Whereupon each Senator as his name was called rose in his place and nominated as follows:

FOR JOHN A. GRISWOLD.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			17

FOR JOHN L. FLAGG.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Morris	Norton	Tweed
Cauldwell	Graham	Murphy		13

A quorum having voted, and a majority having named John A. Griswold as their choice, the President announced that John A. Griswold, of the city of Troy, in the county of Rensselaer, had been nominated on the part of the Senate as a candidate for the office of Regent of the University to supply the vacancy occasioned by the death of Rev. Isaac Parks, D. D.

The President further announced that pursuant to law, and agreeably with a concurrent resolution of the Senate and Assembly, the Senate would proceed to nominate a candidate for the office of Commissioner of Metropolitan Police in place of Thomas C. Acton, resigned.

When each Senator as his name was called rose in his place and nominated as follows:

FOR HENRY SMITH.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			17

FOR OSWALD OTTENDORFER.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Morris	Norton	Tweed
Cauldwell	Graham	Murphy		13

A quorum having voted, and a majority having named Henry Smith as their choice, the President announced that Henry Smith, of the city and county of New York, had been nominated on the part of the Senate for the office of Commissioner of Metropolitan Police in place of Thomas C. Acton, resigned.

Mr. Creamer offered the following:

Resolved, That a committee of two be appointed by the President to wait upon the honorable the Assembly and inform that body that the Senate have made a nomination for Commissioner of the Metropolitan

Police, and for Regent of the University, and are ready to meet the Assembly and compare nominations.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Creamer and Hale.

Mr. Creamer, from the committee appointed to wait upon the honorable the Assembly and inform that body that the Senate had made nominations for Regent of University and Police Commissioner, and were ready to meet the Assembly and compare nominations, reported that they had discharged that duty.

Messrs. Hitchman and Selkreg, a committee on the part of the Assembly, appeared in the Senate chamber and informed the Senate that the Assembly were ready to meet the Senate and compare nominations.

The President accordingly left the chair and with the Senate proceeded to the Assembly chamber, and on comparing nominations for the office of Regent of the University, they were found to agree in the name of John A. Griswold.

Thereupon the President announced that John A. Griswold, of the city of Troy, in the county of Rensselaer, was duly elected a Regent of the University to supply the vacancy occasioned by the death of Rev. Isaac Parks, D. D.

Also on comparing nominations for the office of Commissioner of Metropolitan Police in place of Thomas C. Acton, resigned, they were found to agree in the name of Henry Smith.

Thereupon the President announced and declared that Henry Smith, of the city and county of New York, was duly elected a Commissioner of Metropolitan Police in place of Thomas C. Acton, resigned.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings as having taken place.

The President then stated the question to be on the motion of Mr. Folger which was pending at the time the Senate proceeded to the election of Police Commissioner.

The President put the question whether the Senate would agree to said motion of Mr. Folger to recommit, and it was decided in the negative.

The President then put the question whether the Senate would agree to the motion of Mr. Morgan to recommit, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Humphrey	Nicks	Parker	Williams	
Hale	Morgan	O'Donnell			8

FOR THE NEGATIVE.

Campbell	Crowley	Kennedy	Norton	Thayer	
Cauldwell	Genet	Mattoon	Palmer	Tweed	
Chapman	Graham	Morris	Pierce	Van Petten	
Creamer	Hubbard	Nichols	Stanford		19

Mr. Van Petten moved to recommit said bill to the committee on canals, with instructions to strike out the following paragraph :

"For doubling the locks on the western division of the Erie canal, the sum of \$425,000 or so much thereof as may be necessary."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Edwards	Graham	Nicks	Palmer	Van Petten	
Folger	Hale	O'Donnell	Parker		9

FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Norton	Thayer
Cauldwell	Hubbard	Morgan	Pierce	Tweed
Chapman	Humphrey	Morris	Stanford	Williams
Crowley	Kennedy	Nichols		

18

Mr. Kennedy moved to recommit said bill to the committee on canals, with instructions to strike out the following paragraph:

"For constructing two stone side out locks at or near the upper side cut where the Erie canal enters the Hudson river at West Troy, \$100,000 or so much thereof as may be necessary."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Kennedy and by unanimous consent said bill was amended by inserting after the word "plan" in the amendment offered by Mr. Stanford, the following: "whether done under special act or otherwise."

Mr. Stanford moved to recommit said bill to the committee on canals, with instructions to amend the same as follows:

Section 4, line 1, printed bill, after the word "work" insert "or work on change of plan," and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Palmer
Campbell	Folger	Kennedy	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Thayer
Chapman	Hale	Morris	O'Donnell	Williams
Crowley				

21

FOR THE NEGATIVE.

Hubbard	Mattoon	Tweed
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3

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so far as to permit municipal corporations to aid in the construction of railroads," having been announced for a third reading,

Mr. Hale moved to recommit said bill to the committee on railroads, with instructions to amend the same as follows:

Add to section 1 as follows:

"Nothing herein contained shall be construed as permitting any municipal corporation in or through which a railroad has already been constructed, and is in operation, to aid in the construction of any rival or competing railroad, under the provisions of this act, unless the railroad already built appears by its corporate name upon the assessment roll specified in this act."

Pending the question the President announced the special order.

Mr. O'Donnell, from the committee on finance, to which was recommitting the Assembly bill entitled "An act making appropriations for the support of government," with power to report at any time, reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to provide for additional compensation to deputies, clerks and assistants, in the various departments of the State government."

"An act making appropriations for the support of government."

After some time spent therein the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Parker moved to recommit said bill to the committee on finance, with instructions to amend so as to increase the salary of the Superintendent of the Insurance Department to \$7,000, and report the same forthwith.

Mr. Nichols moved to amend the motion of Mr. Parker, "that said bill be recommitted to the committee, with instructions to reduce the compensation of the Superintendent of the Insurance Department from \$5,000 to \$2,500."

Mr. Genet moved to lay the subject upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Nichols to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, reported back said entitled bill, with amendments, as instructed by the Senate.

The President then put the question whether the Senate would agree to said motion of Mr. Genet, "to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading," and it was decided in the affirmative.

Mr. Tweed, from the select committee of nine, reported the following entitled bills complete:

"An act in relation to the widening of the Coney Island plankroad, in the county of Kings."

"An act to amend 'An act to increase the compensation of the justices of the sessions, in the county of Kings,' passed April 11, 1866."

"An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process."

Assembly, "An act to open and construct a road from Stony Creek, in the county of Warren, to Wellstown, in the county of Hamilton."

Assembly, "An act for the construction of an avenue in the town of Gravesend, in the county of Kings."

"An act to widen and improve Ninth avenue and Fifteenth street, in the city of Brooklyn."

Assembly, "An act to establish a uniform width of track for vehicles using the public highways in the towns of East Hampton and Southampton, Suffolk county."

Assembly, "An act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of the State of New York."

Assembly, "An act to provide for the construction of a drain or sewer in Central avenue, Johnson avenue and Knickerbocker avenue, and other streets in the city of Brooklyn."

Assembly, "An act to amend 'An act to incorporate the village of Cambridge,' passed April 16th, 1866, and the several acts amendatory thereof."

Assembly, "An act to amend the charter of the village of Durhamville, Oneida county."

Assembly, "An act to pave, macadamize, grade and widen certain streets in the village of Fonda, and to raise money and appoint a superintendent for the same, and for poll tax."

Assembly, "An act to further amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866."

Assembly, "An act to authorize the Mill Brook Log Company to improve Mill brook, in the county of Warren, leading from Lake Pharaoh to Schroon lake, by the erection of dams and otherwise, and to provide for appointing appraisers to appraise the damages that may accrue to land owners along the said stream on account of the use of and running of logs by said company."

Assembly, "An act to authorize the town auditors of the town of Ellington, Chautauqua county, to audit the accounts, costs and damages of the late commissioners of highways of said town."

Assembly, "An act to ratify the consent of the Seneca nation of Indians to the location of a mill dam at Irving."

"An act to incorporate the Guardian Insurers' Indemnity Company of New York."

Assembly, "An act to amend an act entitled 'An act to protect butter and cheese manufacturers,' passed May 2, 1864."

Assembly, "An act to authorize the laying out and constructing a road from Pitcairn, St. Lawrence county, to Diana, Lewis county, and apply the tax on certain lands along the line of said road to pay the expenses of laying out and constructing the same."

"An act to authorize the commissioners of highways of the town of Scio, in the county of Allegany, to enter upon lands adjacent to highways, in said town of Scio, for the purpose of fortifying to protect the roads and bridges in said town."

Assembly, "An act to further amend the act entitled 'An act to establish the Dutchess Turnpike Company,' passed April 15, 1802, by authorizing the partial surrender to the city of Poughkeepsie of that portion of the turnpike lying within its limits."

Assembly, "An act to amend chapter 281 of the Laws of 1845, entitled 'An act declaring a part of the Big Brokenstraw creek a public highway,' passed May 14, 1845."

Assembly, "An act to amend an act entitled 'An act to release to the heirs at law of James Todd, deceased, all the estate, title and interest of people of the State of New York of, in and to certain real estate in the town of Rossie, and county of St. Lawrence,' passed April 5, 1867."

Assembly, "An act to repeal an act entitled 'An act relating to the surrogate and county judge of the county of Otsego,' passed June 27, 1868."

Assembly, "An act to enable James McNierney, of New York city, to take and hold real estate, and to remove the disability of his alienage,

and to confirm certain conveyances to him which are claimed to be void because of alienage, and to release the claims of the people of this State to him."

Assembly, "An act to provide for the paving of Bushwick avenue, in the city of Brooklyn."

Assembly, "An act to repeal an act entitled 'An act in regard to school district No. 16, in the town of Pittstown, in the county of Rensselaer,' passed March 15, 1866."

Assembly, "An act providing for the improvement of Newtown creek, and for the appointment of a commissioner to report exterior lines for piers, wharves and bulkheads therein."

Assembly, "An act to amend the act entitled 'An act to provide for the improvement of the navigation of the Oswegatchie river, and of the hydraulic power therein, and to check freshets therein,' passed April 21, 1865."

Assembly, "An act to amend the charter of the Insurers' Indemnity Company of the city of New York."

Assembly, "An act authorizing additional tolls to be collected on plank-roads in the county of Albany."

Assembly, "An act to alter the map or plan of the city of New York by extending Madison avenue."

Assembly, "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village."

Assembly, "An act to close that portion of Dick street in the Seventeenth ward in the city of Brooklyn, extending from Commercial street to the water line."

Assembly, "An act to amend an act entitled 'An act to organize the fire department of the village of Lowville,' passed April 24, 1867."

Assembly, "An act authorizing the Saranac River Plankroad Company to establish discriminating tolls."

Assembly, "An act to amend an act entitled 'An act to incorporate the contributors of the New York Dispensary,' passed April 8, 1795."

Mr. Bradley moved to except from said report the Assembly bill entitled "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," and that the same be recommitted to the select committee of nine.

The President put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the balance of the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Stanford, from the committee on canals, reported back the bill entitled "An act to authorize a tax of one and a half mills per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State," with amendments, as instructed by the Senate, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to incorporate the Veteran Corps of the Washington Gray Cavalry of the National Guard of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Potten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to amend chapter 809 of the Laws of 1866, entitled 'An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the sheriff of the city and county of New York," reported that they have made some amendments thereto, and amended the title so as to read "An act in relation to the fees of the sheriff of the city and county of New York, and to the fees of certain sales in partition cases," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize and allow all persons who sustained damages to their property, situated on the pier, in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 21st day of April, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm certain acts of the recorder of the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Linus R. Clark and others, for appraisal of canal damages, reported by bill entitled "An act to authorize the Canal Appraisers to hear the claims of owners of property on the Black river, caused by the escape of the waters of the North Lake reservoir, in April, 1869," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act to provide for the appraisal and payment of canal damages to Enoch B. Armstrong, Henry Patrick and others, alleged to have been caused by the discharge of water from the Erie canal," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Mary Ann Millis," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Lucy Pickard and others," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Lewis Meeker and George L. Dudley," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies,

to which was referred the Assembly bill entitled "An act to authorize the congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for deceased members," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to legalize and confirm the articles of association of the Black River and St. Lawrence Railway Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of the Northern Air Line railroad, and to authorize the issuing and guaranteeing of bonds," reported in favor of the passage of the same with an amendment, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act in relation to the Troy and Boston Railroad Company,' passed April 25th, 1867, and to regulate the fare thereon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the extension of the Schoharie Valley railroad," reported adversely thereto.

Mr. Hubbard moved to disagree with the report of the committee, and to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 624 of the Laws of 1866, entitled 'An act to authorize the towns of Wilna, Champlain, Rutland, Watertown, Hounsfield, Philadelphia, Theresa, Clayton, Alexandria, Orleans, Brownsville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Gray, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take for said towns, capital stock in the Utica and Black River Railroad Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend the act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga, passed April 29, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act authorizing the managing board of the Gowanda Agricultural, Horticultural and Mechanical Society to assess and levy a tax upon the capital stock sufficient to pay for the real estate purchased and used by said society for exhibition grounds, and the expenses of levying and collecting the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the pay-

ment of certain certificates issued to the militia of this State for services in the war of 1812, and which certificates are now held by residents of this State named therein," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and said bill was ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the Auburn Literary Association," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act relative to the improvement of Mamaroneck harbor, and for the promotion of public health," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from a majority of the committee on canals, to which was referred the bill entitled "An act to promote mechanical towage upon the Erie canal," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Nichols dissented from said report, and requested the same entered upon the journal.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate 'The Social Maennerchor' of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the extension of Washington avenue, in the town of Flatbush, in Kings county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of companies to construct plank-roads, and of companies to construct turnpike roads,' passed May 7th, 1847," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the charter of the Rexford Flats Bridge Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the bridges over Black river at Beach's and Illingworth's landing, and the roads leading thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relating to the Orange Turnpike Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly Bill entitled "An act for the appointment of commissioners to lay out a plan for roads and streets in the towns of Kings

county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution :

Resolved, That 500 copies of the Manual of the Regents of the University be printed for the use of the said Regents, and 75 for the use of the Senate, to be printed under the direction of the Clerk of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16th, 1844," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Fort Ann waterworks," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee of conference appointed on the part of the two Houses upon the matters in difference upon the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," reported that they have met and agreed to recommend that the Senate recede from its amendment made thereto, and that in lieu thereof the following amendment be added at the end of section 1 of said bill :

"But it shall not be lawful for any railroad corporation having a continuous line of railroad extending across the State, in an easterly and westerly direction, to lease the same or permit the same or any part thereof to be operated by any company or corporation organized or incorporated in any other State or country, unless authorized by legal enactment of the Legislature of this State."

A. X. PARKER,
O. W. CHAPMAN,
J. F. HUBBARD,

Senate Committee.

MOSES SUMMERS,
WM. M. ELY,
E. T. SARGENT,
PETER TRAINER,

Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Parker	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams
Chapman	Hubbard	Palmer		

FOR THE NEGATIVE.

O'Donnell

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Palmer, from a majority of the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Samaritan Home for the aged of the city of New York,' passed March 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to change the corporate name of the Pawners' Bank to the Loaners' Bank of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon moved to take from the table the report of the select committee of nine on the Assembly bill entitled "An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act for the relief of John Harvey and the personal representatives of Walter Bissell, deceased," with a message that they had passed the same with the following amendment:

Strike out section 2, and change section 8 to section 2.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Parker	Tweed
Campbell	Graham	Nicks	Pierce	Van Petten
Cauldwell	Hubbard	Norton	Stanford	Williams
Chapman	Kennedy	O'Donnell	Thayer	19

FOR THE NEGATIVE.

Crowley	Folger	Hale	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war, and to pay to John York the moneys expended by him for the same purpose," with a message that they had passed the same with the following amendments:

Add at the end of section 1 the following:

"But when such bonds have been transferred or assigned, no greater sum shall be provided by said board of supervisors and paid on said bonds than the sum which the present holders of said bonds paid for the same, with interest from the time of said purchase, and the price paid by the present holder shall be proven to the satisfaction of said board of supervisors by the oath of the assignee and assignor, or such other testimony as they may require."

Strike out the second section.

Amend the title by striking out the words, "and to pay to John York the moneys expended by him for the same purposes."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Parker	Tweed
Cauldwell	Hale	Morgan	Pierce	Van Petten
Chapman	Hubbard	Nichols	Stanford	Williams
Edwards				

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Oswego Pier and Dock Company," with a message that they had concurred in the passage thereof with the following amendment:

Section 1, line 4, printed bill, strike out "John Sheldon," and insert in lieu thereof "Henry L. Davis."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Stanford
Bradley	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Mattoon	Parker	Williams

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to incorporate the Sixth Avenue Savings Bank, in the city of New York."

"An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Auburn,' passed April 16, 1864."

"An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto."

"An act to establish an asylum for orphan, friendless and illegitimate children of German origin."

"An act to incorporate the Franklin Literary Society of Brooklyn."

"An act to incorporate the Oriental Savings Bank of the city of New York."

"An act to amend an act entitled 'An act to incorporate the city of Poughkeepsie,' passed March 28, 1854."

"An act relative to the village of Ballston Spa."

"An act relative to assessment rolls in the town of Oswegatchie, in the county of St. Lawrence."

"An act to amend title 7 of chapter 8 of part 3 of the Revised Statutes, relative to proceedings for the admeasurement of dower, and to facilitate the obtaining possession of land after judgment in actions for dower."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act to regulate, grade, widen, gravel and improve a public highway in the towns of East Chester, Scarsdale and White Plains, in the county of Westchester, commonly called the Old White Plains Park road, and also a portion of Fourth avenue, in the village of Central Mount Vernon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act in relation to common schools in the village of Elmira,' passed April 4th, 1859, and the amendments thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to provide for a town hall and library, at Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the New York Veremigte Bau Gesellschaft to sell and convey lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to a certain highway in the town of Ramapo, county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for opening West avenue in Long Island city, in Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 350 of the Laws of 1862, being 'An act entitled 'An act authorizing the supervisor of the town of Hempstead, in Queens county, to call a special town meeting to determine by ballot whether the public lands of said town called the Hempstead Plains shall be sold or not,' passed April 19, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Fifth Avenue Savings Bank of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the city of Oswego to borrow money for the purpose of building a city hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the Portchester Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Medora Hook and Ladder Company No. 3, of Port Richmond, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act making words imputing want of chastity to a female actionable per se in actions of slander without proof of special damage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend an act to incorporate the Mercantile Library Association of the city of Brooklyn,' passed March 15, 1859, passed March 16, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act in relation to certain bounty moneys in the town of Mansfield, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal an act entitled 'An act to authorize the board of supervisors of the county of Richmond to pay certain claims against said county, and to provide means for the payment thereof,' passed March 21, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act for the appointment of a harbor master for the port of Albany,' passed May 8, 1837," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New York,' passed June 28th, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to provide for the distribution of the annuity due to the Onondaga Indians,' passed May 1, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to authorize the construction of an iron bridge over the Genesee Valley canal, in the village of Mount Morris," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the village of Chateaugay, in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act constituting the Sacandaga river and its tributaries a public highway, and for aid in improving the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to permit the Albany and Sand Lake Plankroad Company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate 'The German Loan and Trust Company' of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the construction of a vertical stone wall along the towing path of the Erie canal in the village of Middleport, and the reconstruction of a culvert under said canal in said village, and appropriating money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to legalize the actions of a special town meeting held in the town of Little Valley, county of Cattaraugus, on the 29th day of August, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the establishment of a normal and training school in the village of Plattsburgh, to be called 'The Clinton Normal and Training School,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to appoint commissioners of fisheries for the State of New York,' passed April 22, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate Clifton Engine Company No. 8, in the town of Southfield, Richmond county,' passed April 25, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to regulate the sale and power of illuminating gas," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morgan moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	Nicks
Bradley	Graham	Morgan	Nichols	Palmer
Crowley				

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FOR THE NEGATIVE.

Campbell	Edwards	Norton	Pierce	Tweed
Cauldwell	Genet	O'Donnell	Stanford	Van Patten
Chapman	Hale	Parker	Thayer	Williams

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Mr. Norton moved that the committee on municipal affairs be discharged from the consideration of the last named bill, and that the same be referred to the committee on manufactures.

Mr. Genet moved to lay the motion of Mr. Norton upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Hale	Parker	Thayer	
Campbell	Graham	Nicks	Stanford		9

FOR THE NEGATIVE.

Bradley	Crowley	Kennedy	O'Donnell	Tweed	
Cauldwell	Edwards	Morgan	Palmer	Van Petten	
Chapman	Folger	Norton	Pierce	Williams	15

The President then put the question whether the Senate would agree to the motion of Mr. Norton, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Tweed	Norton		4
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FOR THE NEGATIVE.

Bradley	Edwards	Hale	Palmer	Stanford	
Campbell	Folger	Nichols	Parker	Van Petten	
Chapman	Graham	Nicks	Pierce	Williams	15

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act further to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn,' passed April 15, 1857, passed April 16, 1859, passed April 5, 1861."

"An act authorizing the town of Corning, in the county of Steuben, to borrow money and to levy taxes for the payment of the same, and requiring said town to apply said money to the payment of bonds issued by said town for the building of a bridge over the Chemung river."

"An act to revive an act entitled 'An act for the relief of the personal representatives of John Thurman, deceased,' and to provide for the further relief of such representatives or their assigns."

"An act to provide for draining and ditching wet lands in the town and village of Goshen, N. Y., and to widen, alter and deepen the stream in said village known as the Rio Grande, and the tributaries thereof."

"An act to incorporate the Presbyterian Home for aged women in the city of New York."

"An act to authorize the appointment of commissioners to locate an asylum for the insane in western New York, in the eighth judicial district."

"An act extending the term of service of the physician to the jail of the county of Kings, and empowering the board of supervisors of said county to make future appointment of such physician for the term of three years."

"An act with reference to juries in the district courts of the city of New York."

"An act for the better protection of minors."

"An act to amend the charter of the People's Fire Insurance Company of the city of New York."

"An act for the relief of Edward Todd and his assigns."

"An act to amend an act entitled 'An act to amend an act to prevent animals from running at large in the public highways, passed April 23,

1862, and to create a short bar to actions arising under said act,' passed May 9, 1867."

"An act to incorporate the Elmira Waterworks Company, and to provide for supplying water to the city of Elmira."

"An act supplementary to chapter 842 of the Laws of 1868, in relation to carrying letters, packages and merchandise by means of pneumatic tubes in New York and Brooklyn."

"An act to amend an act entitled 'An act to incorporate the village of Cobleskill, Schoharie county,' passed April 3, 1868."

"An act to incorporate the 'Waddington Agricultural Society.'"

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Aurora and Buffalo Plankroad Company,' passed May 11, 1846, passed May 5, 1847, passed March 25, 1852.'"

"An act authorizing the appointment of commissioners to locate a State penitentiary or industrial reformatory."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend section 1 of chapter 55 of the Laws of 1869, entitled 'An act to revive and amend the charter of the Middletown Savings Bank, incorporated under chapter 104, Laws of 1866, entitled 'An act to incorporate the Middletown Savings Bank,' passed March, 1866.'"

"An act to restrain dogs from running at large in the county of Rockland."

"An act to provide for the laying out and opening of a highway in the village of Huntington, in the town of Huntington, Suffolk county."

"An act relating to certain non-resident highway taxes in Franklin county."

"An act to amend an act entitled 'An act to revise and consolidate the Laws in relation to the village of Whitehall,' passed March 15, 1850, and other acts amendatory thereof."

"An act to incorporate 'The Literary Society of St. Vincent Ferrer.'"

"An act to amend an act entitled 'An act to amend section 4 of chapter 216 of the Laws of 1867, entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall,' passed March 30, 1868.'"

"An act to amend the charter of the village of St. Johnsville, in the county of Montgomery."

"An act to incorporate 'The Rochester Maennerchor.'"

"An act to construct a highway from St. Regis lake to Malone."

"An act to authorize a loan to the county of Schoharie."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the concurrent resolution relative to reduction of tolls on certain articles transported upon canals, with a message that they had concurred in the passage of the same without amendment.

Mr. Morgan moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks
Bradley

Edwards
Folger

Hale
Kennedy

Nichols
Nicks

Stanford
Van Patten

Campbell Crowley	Genet Graham	Morgan	Parker	Williams	17
FOR THE NEGATIVE.					
Chapman	Morris	Pierce	Thayer	Tweed	5

Whereupon the Senate adjourned.

FRIDAY, APRIL 30, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Nichols moved to recommit to the committee on municipal affairs the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of the village of Akron, Erie county,' passed December 7, 1847."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Thayer offered the following:

Resolved, That the committee on canals be discharged from the further consideration of the Assembly bill entitled "An act providing for the payment of awards by the commissioners appointed under chapter 659, section 1st of the Laws of 1868," and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act in relation to the widening of the Coney Island plankroad, in the county of Kings."

"An act to widen and improve Ninth avenue and Fifteenth street, in the city of Brooklyn."

"An act to incorporate the Guardian Insurers' Indemnity Company of New York."

"An act to amend 'An act to increase the compensation of the justices of the sessions in the county of Kings,' passed April 11, 1866."

"An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process."

Mr. O'Donnell moved to recommit to the committee on canals the bill entitled "An act to authorize the Canal Appraisers to hear the claim of owners of property on the Black river, for damages caused by the escape of the waters of North Lake reservoir in April, 1869."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

By unanimous consent, Mr. Pierce moved to reconsider the vote upon the final passage of the bill entitled "An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park, from Atlantic avenue, in said city."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Pierce
Cauldwell	Folger	Humphrey	Nichols	Stanford
Chapman	Graham	Kennedy	O'Donnell	Thayer
Creamer	Hale			

17

Mr. Pierce moved to recommit said bill to the committee on municipal affairs, retaining its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so far as to permit municipal corporations to aid in the construction of railroads," having been announced for a third reading,

The President announced the question pending to be on the motion of Mr. Hale to recommit said bill to the committee on railroads, with instructions.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend the charter of the Insurers' Indemnity Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Kennedy	Pierce
Bradley	Creamer	Hubbard	Morris	Stanford
Campbell	Edwards	Humphrey	O'Donnell	Van Petten
Cauldwell	Genet			

17

FOR THE NEGATIVE.

Folger	Thayer
--------	--------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to ratify the consent of the Seneca nation of Indians to the location of a mill dam at Irving," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Mattoon	Parker
Bradley	Edwards	Hale	Morgan	Stanford
Campbell	Folger	Hubbard	Morris	Thayer
Cauldwell	Genet.	Humphrey	Nichols	Van Petten
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Creamer	Humphrey	Nicks	Pierce
Campbell	Edwards	Mattoon	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris		

18

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend 'An act to incorporate the village of Cambridge,' passed April 16th, 1866, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Pierce
Beach	Edwards	Hale	Morris	Stanford
Bradley	Folger	Hubbard	Nichols	Thayer
Campbell	Genet	Humphrey	Parker	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed December 7, 1847, so far as the same is applicable to the village of Canandaigua," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Mattoon	Nicks	Thayer
Cauldwell	Genet	Morgan	Parker	Van Petten
Chapman	Graham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the erection of school buildings, and the maintenance of a manual labor school, upon the Tonawanda reservation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Stanford
Bradley	Edwards	Hubbard	Nichols	Thayer
Campbell	Folger	Humphrey	Parker	Van Petten
Chapman	Graham	Morgan	Pierce	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town, in the counties of Otsego and Herkimer, to issue bonds and take stock in said road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morris	Stanford
Campbell	Edwards	Hubbard	Parker	Van Petten
Cauldwell	Genet	Humphrey	Pierce	Williams
Chapman	Graham			

17

FOR THE NEGATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Crowley				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to lay out, open, extend and work certain highways in the town of West Farms, known as Fairmount avenue and Berrian avenue,' chapter 736, Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Stanford
Bradley	Edwards	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Nicks	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
Chapman	Hale	Morgan	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in

said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nicks	Stanford
Bradley	Crowley	Hubbard	O'Donnell	Thayer
Campbell	Edwards	Mattoon	Palmer	Tweed
Cauldwell	Folger	Morgan	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing additional tolls to be collected on plankroads in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Thayer
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hubbard			

17

FOR THE NEGATIVE.

Chapman	Folger	Williams
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the contributors of the New York Dispensary,' passed April 8, 1795," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer
Bradley	Creamer	Kennedy	Parker	Van Petten
Campbell	Edwards	Morgan	Pierce	Williams
Cauldwell	Folger	Nichols	Stanford	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the towns of West Farms and Westchester to lay out and construct a highway to be called the Eastern Boulevard," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Pieroe
Cauldwell	Folger	Mattoon	Norton	Stanford
Chapman	Genet	Morgan	Palmer	Thayer
Creamer	Hubbard	Murphy	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to further amend the act entitled 'An act to establish the Dutchess Turnpike Company,' passed April 15, 1802, by authorizing the partial surrender to the city of Poughkeepsie of that portion of the turnpike lying within its limits," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Kennedy	Norton	Stanford
Cauldwell	Edwards	Mattoon	Palmer	Thayer
Chapman	Folger	Morgan	Parker	Williams
Creamer	Genet	Nicks		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Fort Ann Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	O'Donnell	Stanford
Campbell	Edwards	Morgan	Palmer	Thayer
Cauldwell	Folger	Nicks	Parker	Tweed
Creamer	Genet	Norton	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the sale of block No. 8, known as Montcalm park in the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Palmer
Bradley	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Mattoon	Norton	Thayer
Cauldwell	Genet	Morgan	O'Donnell	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the village of Durhamville, Oneida county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Palmer
Bradley	Crowley	Kennedy	Nicks	Pierce
Campbell	Edwards	Mattoon	Norton	Stanford
Cauldwell	Folger	Morgan	O'Donnell	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to release to the heirs at law of James Todd, deceased, all the estate, title and interest of the people of the State of New York of, in and to certain real estate in the town of Rossie, and county of St. Lawrence,' passed April 5, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Crowley	Humphrey	Nicks	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Thayer
Cauldwell	Folger	Mattoon	Palmer	Williams
Chapman	Genet	Morgan	Parker	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the laying out and constructing a road from Pitcairn, St. Lawrence county, to Diana, Lewis county, and apply the tax on certain lands along the line of said road to pay the expenses of laying out and constructing the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Bradley	Folger	Mattoon	Nicks	Stanford
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Hubbard	Morris	Parker	Van Petten 20

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to further amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Campbell	Folger	Mattoon	Nicks	Pierce
Cauldwell	Genet	Morris	Norton	Tweed
Creamer	Hubbard	Murphy	Palmer	Van Petten
Crowley				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the construction of a drain or sewer in Central avenue, Johnson avenue and Knickerbocker avenue, and other streets in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Campbell	Folger	Mattoon	Nicks	Stanford
Cauldwell	Genet	Morgan	Palmer	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten
Crowley				21

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act providing for the improvement of Newtown creek, and for the appointment of a commissioner to report exterior lines for piers, wharves and bulkheads therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Pierce	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the town auditors of the town of Ellington, Chautauqua county, to audit the accounts, costs and damages of the late commissioners of highways of said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Palmer	Thayer
Cauldwell	Folger	Morgan	Parker	Tweed
Chapman	Hubbard	Morris	Pierce	Van Petten
Crowley	Kennedy	Nichols	Stanford	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to enable James McNierney, of New York city, to take and hold real estate, and to remove the disability of his alleged alienage, and to confirm certain conveyances to him which are claimed to be void because of alienage, and to release the claims of the people of this State to him," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Hale	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Nichols	Parker	Williams
Creamer	Kennedy	Nicks	Pierce	24

FOR THE NEGATIVE.

Chapman 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the paving of Bushwick avenue in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Parker
Campbell	Folger	Morgan	Nicks	Pierce

Cauldwell	Hale	Morris	O'Donnell	Van Petten
Chapman	Hubbard	Murphy	Palmer	Williams
Crowley	Kennedy			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the Saranac River Plankroad Company to establish discriminating tolls," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Parker	Tweed
Campbell	Hubbard	Nicks	Pierce	Van Petten
Cauldwell	Kennedy	O'Donnell	Stanford	Williams
Edwards	Mattoon	Palmer	Thayer	19

FOR THE NEGATIVE.

Morris	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to protect butter and cheese manufacturers,' passed May 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Norton	Thayer
Cauldwell	Graham	Morgan	O'Donnell	Tweed
Chapman	Hale	Nichols	Palmer	Van Petten
Crowley	Hubbard	Nicks	Stanford	Williams
Edwards	Kennedy			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish a uniform width of track for vehicles using the public highways in the towns of East Hampton and Southampton, Suffolk county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Norton	Parker	Thayer
Cauldwell	Mattoon	O'Donnell	Pierce	Tweed
Edwards	Morgan	Palmer	Stanford	Van Petten
Folger	Murphy			17

FOR THE NEGATIVE.

Campbell	Crowley	Hubbard	Morris	Nicks	
Chapman	Hale	Kennedy	Nichols	Williams	10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to open and construct a road from Stony Creek, in the county of Warren, to Wellstown, in the county of Hamilton," having been announced for a third reading,

On motion of Mr. Stanford and by unanimous consent said bill was amended by striking out in section 2 the words, "and of Wellstown in the county of Hamilton."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford	
Campbell	Folger	Humphrey	Nicks	Thayer	
Cauldwell	Graham	Kennedy	O'Donnell	Van Petten	
Chapman	Hale	Morgan	Parker	Williams	20

FOR THE NEGATIVE.

Norton

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Scio, in the county of Allegany, to enter upon lands adjacent to highways, in said town of Scio, for the purpose of fortifying to protect the roads and bridges in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Palmer	Thayer	
Campbell	Hubbard	Morgan	Parker	Tweed	
Cauldwell	Humphrey	Nichols	Pierce	Van Petten	
Edwards	Kennedy	Nicks	Stanford	Williams	
Graham					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the construction of an avenue in the town of Gravesend, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Thayer
Campbell	Graham	Morgan	Parker	Tweed
Cauldwell	Hale	Murphy	Pierce	Van Petten
Chapman	Hubbard	Nichols	Stanford	Williams
Edwards	Humphrey			

22

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to pave, macadamize, grade and widen certain streets in the village of Fonda, and to raise money and appoint a superintendent for the same, and for poll tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Campbell	Graham	Kennedy	Nicks	Tweed
Cauldwell	Hale	Mattoon	Norton	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams

20

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to close that portion of Dick street in the Seventeenth ward in the city of Brooklyn, extending from Commercial street to the water line," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Campbell	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	Norton	Van Petten
Chapman	Hubbard	Murphy	Parker	Williams
Crowley				

21

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 281 of the Laws of 1845, entitled 'An act declaring a part of the Big Brokenstraw creek a public highway,' passed May 14, 1845," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	O'Donnell	Tweed
Campbell	Hale	Morris	Palmer	Van Petten

Cauldwell	Humphrey	Nichols	Parker	Williams	
Crowley	Mattoon	Norton			18

FOR THE NEGATIVE.

Folger	Nicks				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal an act entitled 'An act relating to the surrogate and county judge of the county of Otsego,' passed June 27, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	Norton	Pierce	
Cauldwell	Graham	Mattoon	O'Donnell	Stanford	
Chapman	Hale	Morgan	Palmer	Van Petten	
Edwards	Hubbard	Nicks	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to repeal an act entitled 'An act in regard to school district No. 16, in the town of Pittstown, in the county of Rensselaer,' passed March 15, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	O'Donnell	Thayer	
Edwards	Hubbard	Nichols	Palmer	Tweed	
Folger	Humphrey	Nicks	Parker	Van Petten	
Graham	Mattoon	Norton	Pierce	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to provide for the improvement of the navigation of the Oswegatchie river, and of the hydraulic power therein, and to check freshets therein,' passed April 21, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Stanford	
Campbell	Graham	Morgan	Palmer	Tweed	
Cauldwell	Hale	Nichols	Parker	Van Petten	
Chapman	Hubbard	Nicks	Pierce	Williams	
Edwards	Humphrey				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Mill Brook Log Company to improve Mill brook, in the county of Warren, leading from Lake Pharaoh to Schroon lake, by the erection of dams and otherwise, and to appoint a commissioner to appraise the damages that may accrue to land owners along the said stream on account of the use of and running of logs by said company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Palmer	Thayer
Beach	Folger	Morgan	Parker	Tweed
Campbell	Graham	Nichols	Pierce	Van Petten
Cauldwell	Hubbard	Norton	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,' passed April 16, 1844," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce
Campbell	Edwards	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hubbard	Morris	Parker	Van Petten

20

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Campbell, from the committee on railroads, reported back the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," with amendments, as instructed by the Senate.

Mr. Morgan moved to recommit said bill to the committee on railroads, with instructions to so amend the 6th section that it shall apply to bonds hereafter issued, and to towns authorized to bond under existing law.

Mr. Nichols moved to amend: after word "State" insert "in those counties the towns in which are by this act authorized to issue bonds."

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Graham	Mattoon	Parker	Tweed
Chapman	Hale	Morris	Pierce	Van Petten
Edwards	Hubbard	Norton	Stanford	Williams
Genet	Humphrey	O'Donnell	Thayer	

19

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Murphy	Nicks
Bradley	Folger	Morgan	Nichols	Palmer
Campbell				

11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Abingdon Square Savings Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Genet	Graham	Thayer		
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3

FOR THE NEGATIVE.

Bradley	Edwards	Mattoon	Norton	Tweed
Campbell	Folger	Morgan	O'Donnell	Van Petten
Chapman	Kennedy	Nichols	Stanford	Williams

15

Mr. Norton moved to reconsider the vote just taken, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants, in the various departments of the State government," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Genet	Kennedy	Nichols	Pierce
Bradley	Graham	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morgan		

18

FOR THE NEGATIVE.

Folger	Nicks			
--------	-------	--	--	--

2

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act making appropriations for the support of government," having been announced for a third reading,

Mr. Banks moved to recommit said bill with instructions to amend the same by striking out in the appropriation for State Normal school the word "thirteen" and inserting in lieu thereof "eighteen."

Mr. Mattoon moved to amend: "that the appropriation to Normal school at Oswego be \$18,000."

The President put the question whether the Senate would agree to said motion of Mr. Mattoon, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Banks, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Morgan	Norton	Stanford
Cauldwell	Graham	Morris	O'Donnell	Thayer
Chapman	Hubbard	Murphy	Palmer	Tweed
Crowley	Humphrey	Nichols	Parker	Van Petten
Edwards	Mattoon	Nicks	Pierce	Williams
Folger				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Murphy moved to reconsider the vote upon the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Norton	Stanford
Campbell	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed
Chapman	Hale	Murphy	Parker	Van Petten
Edwards	Humphrey	Nichols	Pierce	Williams

25

On motion of Mr. Murphy and by unanimous consent said bill was amended as follows:

Section 1, line 7, printed bill, after "Broadway" insert "Vernon place, from Fulton avenue to Macon street."

Amend title by adding thereto: "and Vernon place, from Fulton avenue to Macon street."

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Stanford
Beach	Folger	Morgan	Palmer	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Campbell	Hale	Nichols	Pierce	Williams
Chapman	Hubbard	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize a tax of one and a half mill per dollar valuation for construction of new work upon the extraordinary repair of the canals of this State," having been announced for a third reading.

Mr. Morgan moved to recommit said bill to the committee on canals, with instructions to reduce the aggregate amount to \$2,000,000, to correct the fractional amount of the tax to be levied, and to report the bill as amended on Monday morning at 11 o'clock, the same to retain its place in the order of third reading of bills.

Mr. Edwards moved to amend by striking out "Monday morning" and inserting "to-morrow morning."

Mr. Folger moved to recommit said bill with instructions to reduce the aggregate of the appropriation \$1,125,000, and that the deductions in detail be made from the items for new work and work upon a change of plan.

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Hale	Murphy	Parker
Edwards	Graham	Humphrey	O'Donnell	Van Petten

10

FOR THE NEGATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Bradley	Crowley	Mattoon	Nicks	Thayer
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Pierce	Williams

20

The President then put the question whether the Senate would agree to said motion of Mr. Edwards, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Murphy	Parker
Edwards	Hale	Morgan	O'Donnell	Van Petten

10

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford
Bradley	Creamer	Kennedy	Nicks	Thayer
Campbell	Crowley	Mattoon	Norton	Tweed
Cauldwell	Genet	Morris	Palmer	Williams

20

On motion of Mr. Mattoon and by unanimous consent said bill was amended by striking out the following paragraph :

"For completing the iron bridge over the Oswego and Hydraulic

canals in the city of Oswego, pursuant to chapter 500 of the Laws of 1867, if, in the opinion of the Attorney General, the State is under legal obligation to do so, the sum of \$8,000."

On motion of Mr. Kennedy and by unanimous consent said bill was amended by striking out the following paragraph:

"For constructing two stone side cut locks at or near the upper side cut where the Erie canal enters the Hudson river at West Troy, \$100,000, or so much thereof as shall be necessary."

Mr. Van Petten moved to recommit said bill with instructions to strike out the following paragraph:

"To pay for work done and to pay for engineering on the Chenango Canal extension, the sum of \$650,000, or so much thereof as may be necessary."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Thayer
Bradley	Crowley	Morgan	Norton	Tweed
Campbell	Edwards	Morris	Pierce	Van Petten
Cauldwell	Hubbard	Murphy	Stanford	Williams
Chapman	Kennedy	Nichols		

23

FOR THE NEGATIVE.

Beach	Graham	Humphrey	O'Donnell	Parker
Folger	Hale			

7

Mr. Thayer moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Hale	Kennedy	Murphy	Stanford	Van Petten
Hubbard	Mattoon	Nichols	Thayer	Williams
Humphrey	Morris	Parker		

13

FOR THE NEGATIVE.

Bradley	Chapman	Crowley	Folger	Norton
Cauldwell	Creamer	Edwards	Morgan	Tweed

10

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the widening of the Coney Island plankroad, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Parker
Beach	Crowley	Hubbard	Murphy	Pierce

Bradley	Edwards	Humphrey	Nichols	Van Petten	
Campbell	Folger	Mattoon	Norton	Williams	
Cauldwell	Graham	Morgan			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to widen and improve Ninth avenue and Fifteenth street in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Parker	
Bradley	Crowley	Hubbard	Murphy	Tweed	
Campbell	Edwards	Mattoon	Nichols	Van Petten	
Cauldwell	Folger	Morgan	Nicks	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend 'An act to increase the compensation of the justices of the sessions, in the county of Kings,' passed April 11, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Nichols	Stanford	
Beach	Chapman	Mattoon	Nicks	Van Petten	
Bradley	Edwards	Morris	Parker	Williams	
Campbell	Graham	Murphy	Pierce		19

FOR THE NEGATIVE.

Folger					1
--------	--	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Tweed	
Bradley	Edwards	Kennedy	Parker	Williams	
Campbell	Graham	Morgan			18

FOR THE NEGATIVE.

Folger	Morris	Nicks	O'Donnell	Van Petten	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the removal of certain persons confined in the State prison at Sing Sing to the penitentiary of the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer	
Bradley	Graham	Murphy	Parker	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	
Cauldwell	•Hubbard	Nicks	Stanford	Williams	20

FOR THE NEGATIVE.

Folger	Morgan	Morris			3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Guardian Insurers' Indemnity Company of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Pierce	Tweed	
Campbell	Graham	Mattoon	Stanford	Van Petten	
Cauldwell	Hubbard	Morgan	Thayer	Williams	
Chapman	Humphrey	Parker			18

FOR THE NEGATIVE.

Folger	Morris	Nichols	O'Donnell	Palmer	
Hale	Murphy	Nicks			8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to alter the map or plan of the city of New York by extending Madison avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Palmer	Thayer	
Bradley	Graham	Morris	Parker	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	
Crowley	Hubbard	Nicks	Stanford	Williams	
Edwards	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the payment of certain certificates issued to the militia of this State, for services in the war of 1812, and which certificates are now held by residents of this State, named therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Hale	Mattoon	Nicks	Stanford
Campbell	Hubbard	Morgan	O'Donnell	Thayer
Cauldwell	Humphrey	Murphy	Palmer	Tweed
Edwards	Kennedy	Nichols	Pierce	Van Petten
Graham				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park from Atlantic avenue, in said city," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Hansom Cab Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close that portion of Water street, in the Seventeenth ward of the city of Brooklyn, extending from Union avenue to Ash street," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the city of Oswego to borrow money for the purpose of building a city hall," reported in favor of the passage of the same, with amendments.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Chateaugay, in the county of Franklin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the comptroller of the city of Brooklyn to issue registered bonds," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open, grade, pave and complete certain streets in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Medora Hook and Ladder Company No. 3, of Port Richmond, Richmond county," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to extend Bedford avenue and Herkimer street, to widen Perry avenue, and to change the name thereof, and to close parts of adjoining streets and roads in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the act incorporating the village of Carthage, in the county of Jefferson," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to reorganize the fire department of the city of Brooklyn," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the actions of a special town meeting held in the town of Little Valley, county of Cattaraugus, on the 29th day of August, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger dissented therefrom, which dissent was ordered entered on the journal.

Mr. Morris, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to certain bounty moneys in the town of Mansfield, in the county of Cattaraugus," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from a majority of the committee on banks, to which was referred the bill entitled "An act to incorporate the Fulton Ferry Savings Bank," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the Court of Oyer and Terminer in and for the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger dissented therefrom, which was ordered entered upon the journal.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing Henry E. Ripley, substituted trustee under the will of Sarah Maybee, late of Queens county, deceased, or such other trustee as may be appointed by the Supreme Court, to sell the trust estate upon the application of Garret M. Maybee and Lydia Maybee, his wife, and the descendants of Garret M. Maybee," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger dissented therefrom, which was ordered entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the New York Vereinigte Bau Gesellschaft to sell and convey lands," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the Steam Stone Cutter Company to dispose of its property," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to permit the Albany and Sand Lake Plankroad Company to abandon a part of their road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relating to a certain highway in the town of Ramapo, county of Rockland," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to create a new county from parts of the counties of Queens and Suffolk, to be called the county of Nassau, and for other purposes," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to the establishment of a Normal and Training school in the village of Plattsburgh, to be called 'The Clinton Normal and Training school,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to amend 'An act to provide for the distribution of the annuity due to the Onondaga Indians,' passed May 1, 1847," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 938 of the Laws of 1867, entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Senators Folger and Williams dissented therefrom, which was ordered entered upon the journal.

Mr. Genet, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the increase of the stock of the New York Central Railroad Company," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Morgan dissented from said report, and requested the same to be entered upon the journal.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the consolidation of certain railroad companies," reported the same to the Senate with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for transportation underground in the city of New York, and to authorize the organization of railroad corporation therefor," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Van Petten moved to take from the table the question agreeing to the report of the committee on claims adverse to the bill entitled "An act for the relief of John F. Hosch, assignee of Samuel F. Case."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Van Petten moved to disagree with the report of the committee, and refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Quarantine Commissioners, reported as follows:

Resolved, That 1,000 copies of the report of the Commissioners of Quarantine be printed for the use of the Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act in relation to the Port Chester Savings Bank," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Fulton Savings Bank of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Graham dissented therefrom, which was ordered entered upon the journal.

Mr. Palmer, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the New Amsterdam Savings Bank, in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Depositors' Loan Institution of the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to extend the time for the completion of the Buffalo city railway."

Assembly, "An act to close part of the Hunterfly road, in the city of Brooklyn."

Assembly, "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

Assembly, "An act to amend section 1 of chapter 321 of the Laws of 1864."

"An act to amend 'An act to more particularly define the duties of overseer of highways,' passed May 9, 1868."

"An act to incorporate the American Trust Company of the city of New York."

Assembly, "An act to authorize the Port Jervis Waterworks Company to issue bonds."

Assembly, "An act to legalize the acts of Henry E. Barnard, a justice of the peace of Clinton county."

Assembly, "An act to amend an act entitled 'An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess,' passed April 24, 1866."

Assembly, "An act to incorporate the Real Estate Assurance Company of the city of New York."

Assembly, "An act relative to the compensation of the assessors of the town of Watervliet."

Assembly, "An act to change the name of the Yorkville Baptist church, in the city of New York, to the Central Park Baptist church."

Assembly, "An act to incorporate the Great Neck Dock Company."

Assembly, "An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a workhouse for said county."

Assembly, "An act in relation to the salary of the keeper of the common jail of the city and county of Albany."

Assembly, "An act to authorize the purchase of a farm for the town poor of the town of Hempstead, Queens county."

Assembly, "An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate."

Assembly, "An act to alter the commissioners' map of the city of Brooklyn."

Assembly, "An act to authorize the village of Hart's Falls to borrow money."

Assembly, "An act to amend chapter 514 of the Laws of 1865, entitled 'An act to incorporate the Willwemoc Water Improvement, Lumber Manufacturing and Land Company.'"

Assembly, "An act to authorize the Clifton Iron Company to issue a preferred stock, and to amend chapter 195 of the Laws of 1868, entitled 'An act to enable the Clifton Iron Company to transport passengers, and for other purposes.'"

Assembly, "An act to extend the time for the collection of taxes in the town of Newtown, Queens county."

Assembly, "An act to change the corporate name of the Pawnners' Bank, in the city of New York, to the Loaners' Bank of the city of New York."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of Jerry Read," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Aaron Schuyler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act in relation to contracts for constructing Oneida Lake canal, and to correct certain errors therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to correct an engrossing error in chapter 339 of the Laws of 1869, relating to the election of Police Commissioner of the Metropolitan police," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Norton	Tweed
Bradley	Graham	Mattoon	Palmer	Van Petten
Cauldwell	Hale	Morris	Parker	Williams
Edwards	Hubbard	Nicks	Pierce	

19

FOR THE NEGATIVE.

Chapman	O'Donnell	Stanford	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act making appropriation to pay the expenses of repairing the breaks and breaches in the eastern division of the State canals, and to restore navigation thereon," which was read the first time, and by unanimous consent was also read the second time.

Mr. Folger moved to refer said bill to the committee on canals, with instructions to so amend the same that the money be appropriated from the revenues of the canals.

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Kennedy	Nicks	Parker	Stanford
Folger	Morgan	O'Donnell	Pierce	Williams
Hale	Nichols	Palmer		

13

FOR THE NEGATIVE.

Bradley	Creamer	Mattoon	Norton	Tweed
Cauldwell	Genet	Morris	Thayer	Van Petten
Chapman	Hubbard			12

The Assembly returned the bill entitled "An act to amend the charter of the Commercial Warehouse Company of New York," with a message that they had passed the same with the following amendments:

Add at the end of section 1 the following:

"And the books of subscription thereto shall be opened under the direction of the directors and subject to such rules and regulations as they may adopt. Such capital shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and be transferable in such manner as shall be prescribed by the by-laws of said company; but when five hundred thousand dollars shall have been actually subscribed and two hundred and fifty thousand dollars paid in, in cash, the said company may organize and proceed to business under this charter."

Section 3, line 8, engrossed bill, strike out the word "city" and insert "port."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nichols	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Chapman	Hale	Morgan	Pierce	Williams
Edwards				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the Assembly bill entitled "An act to incorporate 'The People's Savings Bank of the city of New York,' passed May 7, 1863," with a message that they non-concur in the amendments made by the Senate to said bill, and that they request a committee of conference, and have appointed as such committee on the part of the House, Messrs. Truman, Hull, McLeod, Kiernan and P. Mitchell.

Mr. Palmer moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Palmer, Humphrey and Graham.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have consented to a committee of conference.

A message from the Assembly was received and read, in the words following:

To the Senate and Assembly:

The committee of conference to which was referred the points in difference on the Senate bill entitled "An act to enable incorporated rural cemetery associations in the town of Hornellsville to acquire title to lands where the owner or owners are unwilling to sell, or where the cemetery

association and the owners cannot agree upon the value thereof," report that they have considered the same and agreed to recommend the following amendment to the engrossed bill:

Section 1, lines 2 and 3, strike out the words "in the town of Hornells-ville, in the county of Steuben."

Amend the title by striking out the words "in the town of Hornells-ville."

All of which is duly submitted.

JOHN I. NICKS,
A. W. PALMER,
WM. CAULDWELL,
Senate Committee.

SAMUEL MITCHELL,
GEO. COOK,
SAM'L ROOT,
SILAS RICHARDSON,
M. Y. TILDEN,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Hubbard	Nicks	Stanford	
Cauldwell	Graham	Morgan	Palmer		9

FOR THE NEGATIVE.

Edwards	Humphrey	Morris	Parker	Van Petten	
Folger	Kennedy	Murphy	Pierce	Williams	
Hale	Mattoon	Nichols	Thayer		14

Mr. Nicks moved that a new committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to authorize the rebuilding the bridge across the Mohawk river at Fink's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube," with a message that they had concurred in the passage thereof with the following amendment:

Section 5, printed bill, strike out lines 1, 2, 3, 4 and 5, after section 5, and insert in lieu thereof the following:

"The compensation of said commissioners shall be three dollars per day for the time actually spent by them respectively in the discharge of their duties."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Nicks	Stanford	
Campbell	Genet	Kennedy	O'Donnell	Tweed	
Cauldwell	Graham	Mattoon	Palmer	Van Petten	
Chapman	Hale	Morgan	Parker	Williams	
Edwards	Hubbard	Nichols	Pierce		24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to increase the powers of the Sisterhood of Saint Mary, a corporation," with a message that they had concurred in the passage thereof with the following amendments:

Insert as section 3 the following:

"§ 3. The property of the said corporation shall be subject to the provisions of section 4, title 1, chapter 13, part 1 of the Revised Statutes."

Change section 3 to section 4.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Pierce	Tweed	
Bradley	Genet				7

FOR THE NEGATIVE.

Campbell	Graham	Mattoon	Palmer	Thayer	
Chapman	Hale	Morris	Parker	Van Petten	
Crowley	Humphrey	Nichols	Stanford	Williams	
Folger	Kennedy	O'Donnell			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments.

Mr. Folger offered the following:

Resolved, That a resolution be sent to the Assembly requesting the return of the Assembly bill entitled "An act to amend an act entitled 'An act relative to railroads held under lease.'"

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morgan offered the following:

Resolved, (if the Assembly concur,) That a respectful message be sent to His Excellency the Governor requesting him to return to the Senate, to make a correction therein, Senate bill No. 213, to incorporate the village of Charlotte, in the county of Monroe.

On motion of Mr. Morgan and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Thayer offered the following:

Resolved, That claim and appropriation bills be made a special order for Saturday, at 12 o'clock m.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Campbell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to authorize certain towns in Oneida county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Clinton, Oneida county, to Rome in said county," was recommitted to the committee on railroads, with power to report complete.

Mr. Cauldwell offered the following:

Resolved, That a respectful message be sent to the Assembly, requesting the return of the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Thayer moved that the bill entitled "An act to repeal title 19, article 1, chapter 20, part 1, second Revised Statutes, entitled 'Regulations concerning brokers,'" be made the special order to-morrow morning immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Hubbard offered the following:

Resolved, That the Assembly bill entitled "An act to amend the Laws relative to banking, and to grant facilities to associations for establishing banks equal to those afforded by the National Currency act," be made a special order for Monday next, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative; two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Mattoon	Pierce	Tweed	
Crowley	Humphrey	Morris	Thayer	Van Petten	
Edwards	Kennedy	Nichols			18

FOR THE NEGATIVE.

Campbell	Hale	Nicks	Palmer	Stanford	
Chapman	Morgan	O'Donnell	Parker	Williams	
Folger					11

Mr. Morgan, from the committee on engrossed bills, reported as correctly re-engrossed, the bills entitled as follows:

"An act to incorporate the Oswego Pier and Dock Company."

"An act for the relief of John Harvey, and the personal representatives of Walter Bissell, deceased."

"An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war."

"An act to authorize a tax of one and a half mills per dollar of valuation, for construction of new work upon and extraordinary repairs of the canals of this State."

"An act to amend chapter 186, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860."

"An act to amend an act entitled 'An act to regulate, grade, widen macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14, 1868, and extend and change the route of said road and confer additional powers on the commissioners under said act."

The Assembly returned the following entitled bills:

"An act for the relief of John Harvey, and the personal representatives of Walter Bissell, deceased."

"An act to incorporate the Oswego Pier and Dock Company."

"An act to legalize the acts of the supervisor and town clerk of the town of Huron, in issuing bonds to pay bounties in the late civil war."

"An act to amend chapter 166, Laws of 1860, entitled 'An act to incorporate the Citizens' Savings Bank,' passed April 5, 1860."

"An act to amend an act entitled 'An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains road,' and also a portion of First street, in the village of Mount Vernon,' passed May 14, 1868, and extend and change the route of said road and confer additional powers on the commissioners under said act."

"An act to incorporate the Central Savings Bank of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego."

"An act to amend an act entitled 'An act to incorporate the Binghamton and Port Dickinson Railroad Company,' passed May 1, 1868."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed May 6, 1868," with a message that they had consented to a committee of conference thereon, and appointed as such committee, Messrs. Moseley, Husted, La Ban, Jacobs and O'Keeffe.

Mr. O'Donnell called for the consideration of resolutions heretofore offered by him, as follows:

Resolved, (if the Assembly concur,) That the following amendment be proposed to the Constitution of this State:

Section 6, of article 10, is hereby amended so as to read as follows:

"The political year and legislative term shall begin on the first day of December; and the Legislature shall every year assemble on the first Tuesday in December, unless a different day be appointed by law."

Resolved, (if the Assembly concur,) That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that the same be published for three months prior to such election, pursuant to section 1 of article 13 of the Constitution.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Folger	Graham	Nicks	Palmer	Thayer	
Genet	Humphrey	O'Donnell	Parker	Van Petten	10

FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Morgan	Stanford	
Cauldwell	Edwards	Kennedy	Morris	Tweed	
Chapman	Hale	Mattoon	Nichols		14

Mr. Thayer called for the consideration of the concurrent resolution from the Assembly, as follows:

Resolved, (if the Senate concur,) That the flags in the Bureau of Mili-

tary Records, which were carried in the Army of the Potomac, be loaned to the Association of the Army of the Potomac for their celebration on the 5th and 6th days of July next, at the Academy of Music in New York, the same to be immediately thereafter returned to the Bureau of Military Records.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Stanford
Campbell	Genet	Morgan	O'Donnell	Thayer
Crowley	Humphrey	Nichols	Palmer	Tweed
Edwards				

16

FOR THE NEGATIVE.

Creamer	Hubbard	Morris	Parker	Van Petten
Hale	Kennedy			

7

Whereupon the Senate adjourned.

SATURDAY, MAY 1, 1869.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to incorporate the American Trust Company of the city of New York."

"An act to extend the time for the completion of the Buffalo City railway."

"An act to widen and improve North Second street, in the city of Brooklyn, and to regulate, grade and pave the same."

Mr. Palmer presented a petition of Robert A. Cheesborough, for the adoption of his invention for preventing the closing of the canals by ice in the winter, which was read and referred to the committee on canals.

Mr. Edwards presented a remonstrance against amending the charter of Astoria, which was read and referred to the committee on municipal affairs.

Mr. Williams presented a petition of citizens of Montezuma, Wayne county, for the improvement of the State canals, which was read and referred to the committee on canals.

Mr. Hale presented a petition in favor of bonding town of Ausable, Clinton county, which was read and referred to the committee of the whole.

Mr. Tweed presented a petition of the American Geographical Society, asking an appropriation to buy Professor James Hall's geological and mineral collections, which was read and referred to the committee on finance.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 350 of the Laws of 1862, being an act entitled 'An act authorizing the supervisor of the town of Hempstead, in Queens county, to call a special town meeting to determine by ballot whether the public lands of said town called the Hempstead plains shall be sold or not,' passed April 19, 1862," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Tweed and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate Clifton Engine Company No. 8, in the town of Southfield, Richmond county,' passed April 25, 1864," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of benevolent, charitable and missionary societies,' passed April 12th, 1848, and the acts amendatory thereof," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act for the incorporation of benevolent, charitable and missionary societies,' passed April 12th, 1848, and the acts amendatory thereof, so as to enlarge the amount of property which may be held by them, and to enable aliens to join in such societies," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for opening West avenue, in Long Island city, in Newtown, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to construct a public road from or near the head of Grand street, in the city of Brooklyn, to the village of Jamaica, Queens county," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and

counties, to which was recommitted the Assembly bill entitled "An act to amend chapter 350 of the laws of 1862, being an act entitled 'An act authorizing the supervisor of the town of Hempstead, in Queens county, to call a special town meeting to determine by ballot whether the public lands of said town called the Hempstead plains shall be sold or not,' passed April 19, 1862," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to provide for the election and fix the term of office of the board of education of union free school No. 1, of the town of Hamburg, in the county of Erie," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the town of Belfast, in the county of Allegany, to raise \$500 for the benefit of the Genesee Valley Seminary," reported adversely thereto.

Mr. Humphrey moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mercantile Library Association of the city of Brooklyn,' passed March 15, 1859, passed March 16, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Gravesend Institute, and to enable the town of Gravesend to endow the same out of its common funds," reported adversely thereto.

Mr. Pierce moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to amend section 4, title 1, chapter 13 of part 1 of the Revised Statutes, exempting houses occupied by ministers as well as churches from taxation," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act providing for the payment of awards by the commissioners appointed under chapter 659, section 1 of the Laws of 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of West Mount Vernon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the city of Oswego to borrow money for the purpose of building a city hall," with

power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the city of Watertown," reported in favor of the passage of the same with amendments.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the erection of a public market in Twenty-first ward of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the act incorporating the village of Port Leyden, in the county of Lewis," reported in favor of the passage of the same with amendments.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley and to Patterson's Corners," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to authorize certain towns in Oneida county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act for the purpose of building a railroad from Clinton, Oneida county, to Rome, in said county," with power to report complete, reported that they have made an amendment thereto, and amended the title so as to read as follows: "An act to authorize the towns of Kirkland, Westmoreland and Rome, in Oneida county, to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act for the purpose of building a railroad from Clinton, Oneida county, to Rome, in said county," and as amended, report the same complete and recommend its

passage, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act authorizing the Erie Railway Company to file amended articles of association and extending its powers," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate 'The Long Island Tunnel and Railway Company,'" reported adversely thereto; which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863, and the act amendatory thereof, passed April 25, 1866," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act relating to the foreclosure and sale of the New York and Westchester County railroad," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to regulate the price of fares on sleeping cars and drawing room cars," reported adversely thereto.

Mr. Creamer moved to disagree with the report of the committee, and refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to facilitate travel on Atlantic avenue, in the city of Brooklyn, by the use of steam on a portion thereof," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act for the better protection of persons traveling upon Fourth avenue, in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to regulate the freight on milk on the New York and Harlem, Hudson River, and the New York and Erie railroads," reported adversely thereto.

Mr. Creamer moved to lay the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in Twenty-third street, and other streets in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to provide for transportation underground on the westerly side of the city of New York, and to authorize the organization of a railroad corporation therefor," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred

the bill entitled "An act to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Bing-hamton railroad, and to become stockholders therein," reported and request that the committee may be discharged from the further consid-eration thereof, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize 'The Whitehall and Plattsburgh railroad to take increased fare," reported and request that the committee may be discharged from the further consideration thereof, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act authorizing and requiring the town of Farmers-ville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railway Company," reported and request that the committee may be discharged from the further consid-eration thereof, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne to issue bonds and take stock in and for the construction of 'The Lake Ontario Shore railroad,' " reported and request that the committee may be dis-charged from the further consideration thereof, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the village of Middletown to issue bonds and take stock in the New York and Oswego Midland Railroad Company," reported and request that the committee may be discharged from the further consideration thereof, which report was agreed to.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to impose tolls on certain railroads and to in-crease the revenues of the canals," reported and request that the com-mittee may be discharged from the further consideration thereof, which report was agreed to.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to common schools in the village of Elmira,' passed April 4th, 1859, and the amendments thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was recommended the bill entitled "An act to authorize the Canal Appraisers to hear claims of owners of property on Black river, for damages caused by the escape of the water of North Lake reservoir in April, 1869," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Aaron Schuyler," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a mes-sage informing that the Senate have non-concurred in the passage of the same.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Frederick Reese," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to contracts for constructing Oneida Lake canal, and to correct certain errors therein," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate 'The Harlem River and Port Chester Railroad Company,' " reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Genet dissented from said report, which was ordered entered upon the journal.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the South Side Railroad Company of Long Island to build one or more branches from its main track to Newtown creek, and to operate its road with an improved steam dummy within the city of Brooklyn," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize the South Side Railroad Company to operate its road with an improved steam dummy within the city of Brooklyn," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Genet dissented from said report, which was ordered entered upon the journal.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the construction of a railroad in the town of New Brighton to Onondaga Valley and Patter-son's Corners," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from a majority of the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Excelsior Savings Bank in the city of New York," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey dissented from said report, which was ordered entered upon the journal.

Mr. Pierce offered the following:

Resolved, That a message be sent to the honorable the Assembly requesting the return of the Assembly bill entitled "An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act making an appropriation to pay the expenses of repairing the breaks and breaches on the eastern division of the canals, and restore navigation thereon," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to widen and improve Franklin avenue, in the town of Flatbush."

Assembly, "An act to incorporate the village of Green Island, and for other purposes."

Assembly, "An act to incorporate the New York Burglar Insurance Company."

"An act to legalize and confirm a certain conveyance heretofore made by the trustees of the congregation Anshi Cheshed in the city of New York."

Assembly, "An act to consolidate the German and French Bethlehem Baptist Church of the city of New York, and the German Pilgrim Baptist Church of the city of New York into a church to be known as the Second German Baptist Church of the city of New York, and to confirm the title to the property of both of the said churches in the said the Second German Baptist Church of the city of New York."

"An act to provide for the more effectual improvement of the roads, bridges and sidewalks in the town of Islip, in the county of Suffolk."

Assembly, "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county."

Assembly, "An act to amend an act entitled 'An act to incorporate the Delaware Bridge Company in Sullivan county, New York,' passed April 27, 1866."

Assembly, "An act to revise the charter of the village of Union Springs."

Assembly, "An act to amend the charter, and to confer additional powers upon the trustees of the village of Jamaica."

Assembly, "An act to amend the act entitled 'An act to amend the several acts in relation to Union village, in the county of Washington, and to change the name of said village to Greenwich,' passed April 3d, 1867."

Assembly, "An act to amend the charter of the village of Boonville, in the county of Oneida."

Assembly, "An act authorizing the trustees of the village of Mount Morris to subscribe to the capital stock of the Mount Morris Waterworks Company."

Assembly, "An act providing police officers for the village of Wells-ville."

Assembly, "An act creating a separate road district in the village of Westford, Otsego county."

Assembly, "An act to release the interest of the people of the State of New York in certain real estate in the village of Olean, Cattaraugus county, of which William Bagnall died seized, to Jacob Cook."

Assembly, "An act in relation to the fees of the sheriff of the city and county of New York, and to the fees of referees in sales in partition cases."

Assembly, "An act relating to the Orange Turnpike Company."

Assembly, "An act to incorporate the Hansom Cab Company."

Assembly, "An act to incorporate the village of Chateaugay, in the county of Franklin."

Assembly, "An act in relation to certain bounty moneys in the town of Mansfield, in the county of Cattaraugus."

Assembly, "An act to amend an act entitled 'An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue.'"

Assembly, "An act relating to a certain highway in the town of Ramapo, county of Rockland."

Assembly, "An act to amend an act entitled 'An act to provide for the distribution of the annuity due to the Onondaga Indians,' passed May 1, 1847."

Assembly, "An act to reorganize the fire department of the city of Brooklyn."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

A message from the Assembly was received and read, in the words following:

The Governor having returned the Assembly bill entitled "An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Flushing, Queens county," pursuant to a resolution of the Senate and Assembly, and the vote upon the final passage of the same having been reconsidered; on motion of Mr. J. B. Pearsall and by unanimous consent said bill was amended as follows:

Strike out sections 1 and 2, and insert in lieu thereof the following:

"Sec. 1. The office of collector of taxes as created by law in the town of Flushing, Queens county, shall cease from and after the second Tuesday of July, 1869, and all provisions by statutes affecting the duties of said office are hereby abrogated and amended.

"§ 2. The supervisor, justice of the peace, and town clerk of the said town of Flushing shall meet at the town hall in said town, on or before the second Tuesday in July, 1869, at which meeting they or a majority of them shall appoint a receiver of taxes for said town, who shall enter upon the discharge of the duties of his office on the second Tuesday of July, 1869, and hold office until the first day of December, 1872. There shall be elected at the annual town meeting in said town in the year 1872, and every three years thereafter, a receiver of taxes, who shall enter upon the duties of his office on the first day of December next ensuing, and the office of said receiver shall be located in the village of Flushing. In case of a vacancy in said office by death or resignation, it shall be filled in the same manner as a vacancy in the office of the collector of taxes is now by law filled.

Said bill, as amended, was read a third time and passed, and ordered sent to the Senate for concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the final passage of said bill; and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce
Bradley	Graham	Mattoon	Nicks	Stanford
Crowley	Hubbard	Morris	Palmer	Tweed
Edwards	Humphrey	Murphy	Parker	Van Petten

20

The President then put the question whether the Senate would agree to concur in said amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Bradley	Genet	Kennedy	Nicks	Thayer
Cauldwell	Graham	Mattoon	Palmer	Tweed
Chapman	Hale	Murphy	Parker	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 29, 1869.*

The Governor having, in pursuance of a joint resolution of the Senate and Assembly, returned the bill entitled "An act to incorporate the 'Independent Turnverein,' in the city of Brooklyn," and the vote on the final passage of the same having been reconsidered; on motion of Mr. Hodges and by unanimous consent said bill was amended as follows:

Section 4, line 4, printed bill, strike out the word "twenty" and insert "seventy-five."

Said bill, as amended, was read a third time and passed, and ordered sent to the Senate for concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Stanford
Bradley	Hale	Morris	Palmer	Thayer
Edwards	Hubbard	Murphy	Parker	Tweed
Folger	Humphrey	Nichols	Pierce	Williams
Genet	Kennedy			

22

FOR THE NEGATIVE.

O'Donnell

1

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Bradley	Genet	Humphrey	Murphy	Pierce
Cauldwell	Graham	Kennedy	Nichols	Tweed
Chapman	Hale	Morgan	Nicks	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence the bill entitled as follows:

"An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Morgan and by unanimous consent the rules were suspended, and said bill referred to the committee on the judiciary, with power to report complete.

Mr. Tweed moved to take from the table the bill entitled "An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Tweed moved to reconsider the vote by which the bill was lost.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Bradley	Folger	Humphrey	Palmer	Tweed
Cauldwell	Genet	Kennedy	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer				

21

Mr. Tweed moved to recommit said bill to the committee on municipal affairs, with instructions to amend the same by adding to section 1 as follows :

"And whenever any street or avenue below Fourteenth street, in the city of New York, shall be widened or extended by due authority of law, the commissioner of estimate and assessment for such improvement may assess upon any land or premises benefited thereby such part of the expense thereof as they may deem just and reasonable, not exceeding one-half of the market value of such lands and premises."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to legalize the acts of Henry E. Barnard, a justice of the peace of Clinton county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Humphrey	Palmer	Van Petten
Cauldwell	Graham	Kennedy	Parker	Williams
Chapman	Hale	Morgan	Stanford	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Great Neck Dock Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Cauldwell	Graham	Mattoon	Palmer	Tweed

Chapman	Hale	Morgan	Parker	Van Petten	23
Creamer	Hubbard	Morris			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the purchase of a farm for the town poor of the town of Hempstead, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer	21
Bradley	Graham	Kennedy	Palmer	Tweed	
Cauldwell	Hale	Morris	Parker	Van Petten	
Chapman	Hubbard	Nichols	Stanford	Williams	
Edwards					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Palmer	Tweed	19
Bradley	Hale	Morris	Parker	Van Petten	
Cauldwell	Hubbard	Nichols	Stanford	Williams	
Edwards	Humphrey	Nicks	Thayer		

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend the time for collection of taxes in the town of Newtown, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Stanford	21
Bradley	Hale	Mattoon	Nicks	Thayer	
Cauldwell	Hubbard	Morgan	Palmer	Van Petten	
Chapman	Humphrey	Morris	Parker	Williams	
Edwards					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to change the corporate name of

the Pawnors' Bank of the city of New York, to the Loaners' bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer	
Bradley	Graham	Mattoon	Palmer	Tweed	
Cauldwell	Hubbard	Morgan	Parker	Van Petten	
Chapman	Humphrey	Nichols	Stanford	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Clifton Iron Company to issue a preferred stock, and to amend chapter 195 of the Laws of 1868, entitled 'An act to enable the Clifton Iron Company to transport passengers, and for other purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Stanford	
Bradley	Hale	Morgan	Norton	Thayer	
Cauldwell	Hubbard	Morris	O'Donnell	Van Petten	
Edwards	Humphrey	Nichols	Palmer	Williams	
Genet	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 514 of the Laws of 1865, entitled 'An act to incorporate the Williwemoc Water Improvement, Lumber Manufacturing and Land Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Palmer	Thayer	
Bradley	Graham	Morgan	Parker	Tweed	
Cauldwell	Hubbard	Nichols	Pierce	Van Petten	
Chapman	Humphrey	Nicks	Stanford	Williams	
Edwards	Kennedy				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the village of Hart's Falls to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Pierce	Williams
Crowley	Humphrey	Nichols		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Pierce
Bradley	Hale	Morgan	Norton	Thayer
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Crowley	Humphrey	Nichols	Parker	Williams
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the salary of the keeper of the common jail of the city and county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Pierce
Bradley	Edwards	Mattoon	Palmer	Thayer
Cauldwell	Genet	Morgan	Parker	Van Petten
Creamer	Graham	Nichols		

18

FOR THE NEGATIVE.

Folger	Williams
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the alms-house, and for the erection of a work-house for said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nicks	Stanford
Bradley	Folger	Mattoon	Norton	Thayer

Cauldwell	Genet	Morgan	Palmer	Tweed	
Chapman	Graham	Morris	Parker	Van Petten	
Creamer	Hale	Nichols	Pierce	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled "An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess," passed April 24, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Pierce	
Bradley	Genet	Mattoon	Norton	Stanford	
Cauldwell	Graham	Morgan	O'Donnell	Tweed	
Chapman	Hubbard	Morris	Palmer	Van Petten	
Creamer	Humphrey	Nichols	Parker	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the American Trust Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Morgan	Palmer	Thayer	
Creamer	Humphrey	Morris	Parker	Tweed	
Folger	Kennedy	Nicks	Pierce	Van Petten	
Graham	Mattoon	Norton	Stanford	Williams	
Hale					21

FOR THE NEGATIVE.

Genet	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to change the name of the Yorkville Baptist Church, in the city of New York, to the Central Baptist Church, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford	
Bradley	Graham	Mattoon	Palmer	Thayer	
Cauldwell	Hubbard	Morgan	Parker	Van Petten	
Chapman	Humphrey	Nichols	Pierce	Williams	20

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to the compensation of the assessors of the town of Watervliet," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Morris	Palmer	Thayer
Bradley	Kennedy	Nichols	Parker	Tweed
Creamer	Mattoon	Nicks	Pierce	Van Petten
Genet	Morgan	Norton	Stanford	Williams
Graham				

21

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to close part of the Hunterfly road, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Humphrey	Murphy	O'Donnell	Stanford
Cauldwell	Kennedy	Nichols	Palmer	Thayer
Genet	Mattoon	Nicks	Parker	Tweed
Graham	Morgan	Norton	Pierce	Van Petten
Hubbard	Morris			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to increase the commutation of sentences to be earned by convicts under the provisions of section 2, chapter 417 of the Laws of 1862, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford
Bradley	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	Palmer	Van Petten
Chapman	Hubbard	Morris	Parker	Williams
Edwards	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Real Estate Assurance Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Folger	Humphrey	Parker	Tweed
Creamer	Genet	Mattoon	Pierce	Van Petten
Crowley	Graham	Nicks	Stanford	Williams
Edwards	Hubbard	Palmer		

18

FOR THE NEGATIVE.

Banks	Nichols	
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the Port Jervis Waterworks Company to issue bonds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Nichols	Pierce	Van Petten
Edwards	Hubbard	Nicks	Stanford	Williams
Folger	Humphrey	Norton		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend 'An act to more particularly define the duties of overseer of highways,' passed May 9, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Pierce
Bradley	Genet	Kennedy	Norton	Thayer
Cauldwell	Hale	Mattoon	Palmer	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to widen, open and improve Underhill avenue, in the city of Brooklyn, for an approach to Prospect park, from Atlantic avenue, in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Palmer	Thayer
Bradley	Graham	Morgan	Parker	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Creamer	Humphrey	Norton	Stanford	Williams
Edwards				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for the completion of the Buffalo City railway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Pierce
Cauldwell	Graham	Mattoon	Norton	Tweed
Creamer	Hubbard	Morgan	Palmer	Van Petten
Edwards	Humphrey	Morris	Parker	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Norton moved to take from the table the Assembly bill entitled "An act to incorporate the Abingdon Square Savings Bank, in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Norton moved to recommit said bill to the committee on banks, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act to widen and improve North Second street, in the city of Brooklyn, and to regulate, grade and pave the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Cauldwell	Genet	Kennedy	Palmer	Tweed
Creamer	Graham	Mattoon	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley, from the committee on municipal affairs, reported back the bill entitled "An act in relation to the opening, widening and extending of streets and avenues and public places, in the city of New York," with amendments, as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford	
Cauldwell	Folger	Humphrey	Norton	Tweed	
Creamer	Graham	Mattoon	Palmer	Van Petten	
Crowley	Hale	Morris	Pierce	Williams	20

FOR THE NEGATIVE.

Bradley	Chapman	Thayer			3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the city of Oswego to borrow money for the purpose of building a city hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Stanford	
Bradley	Folger	Morgan	Palmer	Thayer	
Cauldwell	Graham	Morris	Parker	Van Petten	
Chapman	Hubbard	Nichols	Pierce	Williams	
Creamer	Kennedy	Norton			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 18, 1857," having been announced for a third reading,

Mr. O'Donnell moved to recommit said bill to the committee on internal affairs of towns and counties, with instructions to amend the same as follows :

"All of the provisions of this act, as amended, shall be held to apply to the sale of ale or beer, except so much thereof as forbids the granting of license to any person except to such persons as propose to keep an inn, tavern or hotel, and the commissioners of excise may, in their discretion, grant licenses for the sale of ale or beer for a sum not less than ten dollars to other than those who propose to keep an inn, tavern or hotel, and the provisions of the act shall extend to all portions of the State except the Metropolitan Police district."

Mr. Williams moved to lay the subject upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Humphrey	Norton	Tweed	Williams	5
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FOR THE NEGATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford	
Bradley	Genet	Mattoon	O'Donnell	Thayer	
Cauldwell	Hale	Morgan	Parker	Van Petten	
Chapman	Hubbard	Nichols	Pierce		19

The President then put the question whether the Senate would agree to the motion to recommit, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Chapman	Kennedy	Morris	Palmer	Thayer	
Crowley	Mattoon	Nicks	Parker	Van Petten	
Hale	Morgan	O'Donnell	Stanford		14

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Murphy	Norton	
Bradley	Folger	Humphrey	Nichols	Pierce	
Cauldwell	Graham				12

The Assembly returned the resolution asking His Excellency the Governor to return for correction the bill entitled "An act to incorporate the village of Charlotte, in the county of Monroe," for the purpose of correction, with a message that they had passed the same without amendment.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the act incorporating the village of Carthage, in the county of Jefferson," was recommitted to the committee on municipal affairs, with power to report complete.

The Assembly returned the bill entitled "An act to amend 'An act in relation to railroads held under lease,' passed April 3, 1867," pursuant to a resolution of the Senate.

The President put the question whether the Senate would agree to reconsider the vote agreeing to the report of the committee of conference, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Pierce	
Cauldwell	Hale	Morgan	O'Donnell	Stanford	
Chapman	Hubbard	Morris	Palmer	Van Petten	
Edwards	Kennedy	Nichols	Parker	Williams	
Folger					21

Mr. Folger moved that the bill be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special order, being the claim bills entitled as follows :

"An act for the relief of Nicholas Van De Bogert and Giles Y. Van De Bogert."

"An act to authorize the Canal Appraisers to hear claims of owners of property on the Black river for damages caused by the escape of the water of North Lake reservoir, in April, 1867."

"An act for the relief of Mary Ann Millis."

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported in favor of the passage of the two first named bills with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Creamer, from the same committee, reported that they had substituted the Assembly bill of same title for the last named bill, and recommended its passage, which report was agreed to and said bill-ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and

proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act in relation to the contract of Myron H. Mills on the Genesee Valley canal and the work connected therewith."

"An act to enable the Comptroller to pay the amount awarded to Chas. Weiss, in accordance with chapter 626 of the Laws of 1868."

"An act to authorize the Commissioners of the Land Office to vacate a certain patent, issued, to William Hamilton, to lands claimed by the widow and heirs of William Johnson, deceased, of the Oneida Indians."

After some time spent therein the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the said named bills without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the draining of the low lands of the town of Wheatfield, in the county of Niagara," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the people of the State of New York in certain real estate to Thomas C. T. Buckley," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 12, 1854," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of John Henry Winter," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Genet moved that the further consideration of the special order, being claim bills upon general orders, be postponed until Monday morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act for the relief of Adam W. Smith."

"An act for the relief of Thomas T. Hunter."

"An act for the relief of Charles J. De Graw."

After some time spent therein the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of the passage of the first named bill with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Mattoon moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion of Mr. Mattoon, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Hale	Kennedy	O'Donnell	
Cauldwell	Graham	Hubbard	Mattoon	Van Petten	
Edwards					11

FOR THE NEGATIVE.

Chapman	Morgan	Nichols	Parker	Stanford	
Folger	Morris	Nicks	Pierce	Thayer	10

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Genet	Graham	Pierce	
Cauldwell					6

FOR THE NEGATIVE.

Crowley	Kennedy	Morris	O'Donnell	Thayer	
Edwards	Mattoon	Nichols	Parker	Van Petten	
Hale	Morgan	Nicks	Stanford		14

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to authorize the appraisal and payment of canal damages to James H. Gilchrist, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county."

"An act for the relief of Oscar S. Foster."

"An act to authorize the appraisal and payment of canal damages to Patrick Buckley and Rodey Carey, caused by the waters of the Champlain canal flowing over and running through the tow-path of said canal in the town of Fort Edward, Washington county."

"An act for the relief of Lucy Pickard and others."

"An act in relation to contracts for constructing Oneida Lake canal, and to correct certain errors therein."

"An act for the relief of Lewis Meeker and Geo. L. Dudley."

"An act for the relief of Alva Ward and Archibald McVickar."

"An act supplementary to 'An act for the relief of Elizabeth Craft, widow of Edwin Craft,' passed April 19, 1869."

"An act for the relief of Frederick Reese."

"An act to provide for the appraisal and payment of damages to Enoch B. Armstrong, Henry Patrick and others, alleged to have been caused by the discharge of water from the Erie canal."

"An act for the relief of John F. Hosch, assignee of Samuel F. Case."

After some time spent therein the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the 1st, 2d, 5th, 8th, 9th and 10th named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the 3d and 6th named bills, with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported that they have made some amendments to the 4th named bill, and amended the title by adding "Philip W. Pickard, Maria E. Murray, Lawrence A. Pickard and Albert H. Pickard," and as amended, recommend its passage, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the 7th named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the last named bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cauldwell	Mattoon	O'Donnell	Van Petten	Williams	
Genet					6

FOR THE NEGATIVE.

Crowley	Hale	Nichols	Palmer	Stanford	
Edwards	Kennedy	Nicks	Parker	Thayer	
Folger	Morgan				12

Mr. Van Petten moved to reconsider the vote just taken, and to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Kennedy	O'Donnell	Parker	Van Petten	
Cauldwell	Mattoon	Palmer	Pierce	Williams	
Genet	Morgan				12

FOR THE NEGATIVE.

Crowley	Folger	Nichols	Stanford	Thayer	
Edwards	Hale	Nicks			8

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to build a bridge over the Chemung river, in the town of Big Flats, in the county of Chemung," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate, grade, widen, gravel and improve a public highway in the towns of East Chester, Scarsdale and White Plains, in the county of Westchester, commonly called the 'White Plains post road,' and also a portion of Fourth avenue, in the village of Central Mount Vernon," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Abingdon Square Savings Bank, at N. Y.," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, 'and to ratify proceedings heretofore had under said act,' passed May 2, 1868," was recommitted to the committee on railroads, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," with power to report complete, reported the same complete, with the amendment thereto as directed by the Senate, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Kennedy and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga, passed April 29, 1863," was recommitted to the committee on railroads, with power to report complete.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 9, chapter 7, part 2, article 1 of the Revised Statutes, concerning fraudulent conveyances and contracts in relation to lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Jeremiah Flood," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of the soldiers of the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act in relation to the surrogate's court of Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the sale of certificates of sale of lands for taxes held by the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to steam ferries, and for the preservation of human life in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to build a bridge over the Chemung river, in the town of Big Flats, in the county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the corporation of the city of New York to ex-

change certain lands in the City Hall park in said city, and ceding jurisdiction thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Quarantine structures now being erected on West Bank of New York, and to provide means for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to alter the map of the 'Commissioners of the Central park,' so far as it establishes a road or public drive running westerly of the Eleventh avenue from One Hundred and Fifty-sixth street, north to the junction of said drive with the old military road on the property of the Institution for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize and empower the New York and Highland Suspension Bridge Railway Company to build a bridge across the Harlem river."

"An act to amend an act entitled 'An act to incorporate the New York and Long Island Bridge Company, for the purpose of constructing and maintaining a bridge over the East river, between the city of New York and Queens county,' passed April 16, 1867."

"An act to incorporate the village of Port Henry."

"An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county."

"An act to amend an act entitled 'An act to establish and amend the charter of the village of Deposit,' passed March 2, 1858, and the acts amendatory thereof."

"An act to extend the boundaries of the village of Geddes, in the county of Onondaga."

"An act to amend chapter 628 of the Laws of 1857, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors.'"

"An act to establish the office of receiver of taxes in the town of New Rochelle, in the county of Westchester."

"An act declaring the westerly branch of St. Regis river a public highway."

"An act to amend the charter of the 'Prospect Park Fair Ground Association.'"

"An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April, 1832,' passed April 1, 1854.'"

"An act to amend an act entitled 'An act to constitute school district No. 1, in the town of Salina and county of Onondaga, a free school.'"

"An act for the protection of bridges over the Chemung river at the town of Corning, in the county of Steuben."

"An act to amend title 12, of chapter 20, part 1st of the Revised Statutes, entitled 'Of wrecks.'"

"An act in relation to 'The Baptist Church in Clyde,' at Clyde, in the county of Wayne."

"An act for the relief of the 'Hornell Library Association.'"

"An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867."

"An act to release the interest of the State of New York in and to certain lots of land in the town of Carlton, Orleans county, to Patrick Kelly."

"An act in relation to the Brooklyn City and Newtown Railroad Company."

"An act to amend an act entitled 'An act to enlarge the corporate powers of the village of Silver Creek, in the county of Chautauqua,' passed April 17, 1857."

"An act to authorize Forest Hill Cemetery, in the village of Fredonia and county of Chautauqua, to acquire title to other lands, and to use their funds for that purpose."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act to raise money to build a bridge in the town of Carroll, Chautauqua county, N. Y."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857."

"An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein."

"An act to incorporate the People's Savings Bank, in the city of Buffalo."

"An act to incorporate the White Plains Savings Bank."

"An act to authorize the town of Ellisburgh, in the county of Jefferson, to raise money to build town house."

"An act to provide for laying out, opening and maintaining a public street or highway in the village and town of Lyons, in the county of Wayne."

"An act regulating the preparation of medical prescriptions."

"An act to incorporate 'The Oneida County Savings Bank,' in the village of Rome."

"An act to amend an act entitled 'An act to lay out, construct and maintain a public road from the foot of East Second street in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county,' passed May 1, 1868, and supplemental thereto."

"An act to unite the village of Lansingburgh with the city of Troy."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled "An act to increase the powers of the Sisterhood of Saint Mary, a corporation," with a message that they had receded from their amendments thereto.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Genet, the Senate adjourned.

MONDAY, MAY 3, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of Saturday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the Canal Appraisers to hear claims of owners of property on the Black river for damages caused by the escape of the water of North Lake reservoir, in April, 1869."

"An act for the relief of Nicholas Van De Bogert and Giles Y. Van De Bogert."

"An act to widen and improve Franklin avenue in the town of Flatbush."

"An act to incorporate the Tontine Mutual Savings Bank of the city of New York."

Also as correctly re-engrossed:

"An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York."

"An act to authorize the rebuilding the bridge across the Mohawk river at Fink's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube."

Mr. Hubbard moved to take from the table the motion to disagree with the report of the committee adverse to the Assembly bill entitled "An act to facilitate the extension of the Schoharie Valley railroad."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Hubbard moved to recommit said bill to the committee on railroads.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act authorizing the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany," with a message that they do not concur in the amendments of the Senate thereto and request a committee of conference, and have appointed as such committee on the part of the Assembly, Messrs. W. W. Campbell, Perry, Dimmick, Bergen and C. Ferris.

Mr. Banks moved that the Senate consent to a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed Messrs. Banks, Folger and Nichols as such committee.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have consented to a committee of conference.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete :

Assembly, "An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesee Annual Conference.'"

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

Assembly, "An act to authorize the imprisonment of convicts in the penitentiaries of Syracuse and Albany."

"An act in relation to the South Brooklyn Savings Institution."

Assembly, "An act to amend section 6 of chapter 70 of the Laws of 1845, as amended by section 4, chapter 259 of the Laws of 1851, relating to Clinton prison."

Assembly, "An act to incorporate the Clyde Waterworks Company."

Assembly, "An act to provide a supply of water in the village of Rome."

Assembly, "An act to facilitate the construction, completion and equipment of the Buffalo, Corry and Pittsburgh railroad, and to enable any railroad corporation in this State to loan its credit and take stock in said railroad."

Assembly, "An act to incorporate the Veteran Corps of the Washington Gray Cavalry of the National Guard of the State of New York."

Assembly, "An act to authorize and allow all persons who sustained damages to their property situated on the pier in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 21st day of April, 1866."

Assembly, "An act to legalize and confirm the articles of association of the Black River and St. Lawrence Railway Company."

Assembly, "An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health."

Assembly, "An act for the appointment of commissioners to lay out a plan for roads and streets in the towns of Kings county."

Assembly, "An act to authorize the comptroller of the city of Brooklyn to issue registered bonds."

Assembly, "An act to authorize the common council of the city of Brooklyn to open and grade and pave and complete certain streets in said city."

Assembly, "An act to legalize the actions of a special town meeting held in the town of Little Valley, county of Cattaraugus, on the 29th day of August, 1864."

Assembly, "An act authorizing Henry E. Ripley, substituted trustee under the will of Sarah Maybee, late of Queens county, deceased, or such other trustees as may be appointed by the Supreme Court, to sell the trust estate upon the application of Garret M. Maybee and Lydia Maybee, his wife, and the descendants of Garret M. Maybee."

Assembly, "An act to authorize the Steam Stone Cutter Company to dispose of its property."

Assembly, "An act in relation to the establishment of a Normal and Training school in the village of Plattsburgh, to be called 'The Clinton Normal and Training School.'"

Assembly, "An act in relation to the Portchester Savings Bank."

Assembly, "An act to incorporate the village of West Mount Vernon."

Assembly, "An act to amend an act entitled 'An act in relation to common schools in the village of Elmira,' passed April 4, 1859, and the amendments thereto."

Assembly, "An act in relation to the draining of the low lands of the town of Wheatfield, in the county of Niagara."

Assembly, "An act releasing the interest of the people of the State of New York in certain real estate to Thomas C. T. Buckley."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

A message from the Assembly was received and read, in the words following:

The committee of conference on the part of the Senate and Assembly on the matters in difference on the Assembly bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866, and May 6, 1868," respectfully report:

That they have duly conferred and unanimously recommend that the Senate recede from the amendment proposed in the 5th section, and that said section be stricken out.

Also, that the proposed 10th section be stricken out, and the following substituted in lieu thereof:

"§ 10. The board of trustees of the fire department of the city of Brooklyn are hereby authorized, in cases where the public safety shall not be endangered, to compromise the civil penalties provided for under said act, and in such cases to suspend the operations of any of the provisions thereof."

CHAS. J. FOLGER,
A. BLEECKER BANKS,
Senate Committee.

N. B. LA BAU,
JOHN C. JACOBS,
J. W. HUSTED,
Assembly Committee.

IN ASSEMBLY, May 1, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	O'Donnell	Tweed
Chapman	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams
Folger	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

A message from the Assembly was received and read, in the words following:

The committee of conference appointed with reference to the amendments made by the Assembly to the Senate bill entitled "An act for the

relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Bilinghurst and John G. Wormley," respectfully report:

That there is some difference of opinion among the members of the committee as to the propriety of the amendment, but at this stage of the session cannot be fully examined, and the amendment does not deprive any party of any substantial right, but will at most only delay the satisfaction of the claims if meritorious, and certainly tends to protect the State.

Your committee respectfully recommend that the Senate reconsider its action and concur in the amendments of the Assembly.

JOHN I. NICKS,
M. HALE,
Senate Committee.

SAM'L MITCHELL,
J. T. MILLER,
A. B. TUTTLE,
R. M. SKEELS,
W. J. PERRY,
Assembly Committee.

April 28, 1869.

IN ASSEMBLY, May 1, 1869.

Report of the committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Thayer
Cauldwell	Graham	Kennedy	O'Donnell	Tweed
Chapman	Hale	Mattoon	Parker	Van Petten
Edwards	Hubbard	Morgan	Pierce	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859," pursuant to a resolution of the Senate.

By unanimous consent, Mr. Hubbard moved to reconsider the vote agreeing to the report of the committee adverse to said bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Hubbard moved that said bill be committed to the committee of the whole.

Mr. Folger moved to recommit to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Hale	Nicks	Pierce
Cauldwell	Folger	Humphrey	O'Donnell	Thayer
Chapman	Genet	Morgan	Parker	Van Petten 15

FOR THE NEGATIVE.

Hubbard	Mattoon	2
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The Assembly returned the bill entitled "An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867," with a message that they had passed the same with the following amendment:

Add at the end of section 1, the following:

"The certificate of the Chancellor and Secretary of the Board of Regents filed with the Comptroller, stating the facts required to be certified by the first section of the act hereby amended, shall have the same effect as if such certificate had been made by the Board of Regents, and shall be deemed a compliance with the provisions thereof."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Stanford
Campbell	Folger	Humphrey	Nicks	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Pierce	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to incorporate the Clinton County Savings Bank," with a message that they had passed the same with the following amendments:

Section 4, line 6, printed bill, strike out "seven" and insert "a majority." Same section, line 9, strike out "five" and insert "a majority." Same section, line 13, strike out "a majority" and insert "two-thirds."

Section 5, line 6, strike out "five" and insert "a majority of."

Section 6, line 9, strike out "any" and insert "this." Also, strike out "in the Union" same line. Same section, line 17, insert after the word "money" the words "not to exceed ten thousand dollars from any one person."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hale	Morgan	Pierce
Cauldwell	Folger	Hubbard	Nicks	Thayer
Chapman	Genet	Humphrey	O'Donnell	Tweed
Crowley	Graham	Mattoon	Parker	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

To the Senate and Assembly:

The committee of conference appointed on the matters in difference between the two Houses on the bill entitled "An act for the relief of Eli A. Bronson," report:

That they have met and agreed to recommend that the Senate concur in the amendments made to said bill by the Assembly.

Dated April 28, 1869.

JOHN I. NICKS,
THOMAS J. CREAMER,
Senate Committee.

HENRY RAY,
J. L. LA MOREE,
M. Y. TILDEN,
N. B. SMITH,
Assembly Committee.

IN ASSEMBLY, *April 29, 1869.*

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	O'Donnell	Thayer
Cauldwell	Genet	Mattoon	Parker	Tweed
Chapman	Graham	Morgan	Pierce	Van Petten
Crowley	Hale	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act to confirm the election of the trustees and officers of the village of Silver Creek and their acts," with a message that they had passed the same with the following amendment:

Strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Chapman	Graham	Morgan	Parker	Williams
Crowley	Hale	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to provide for the erection of school buildings and the maintenance of a manual labor school upon the Tonawanda reservation," with a message that they do non-concur in the amendments of the Senate thereto.

Mr. Crowley moved that the Senate insist upon its amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist upon their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," with a message that they had non-concurred in the amendments of the Senate thereto.

Mr. Hale moved that the Senate insist upon their amendments and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to consolidate the German and French Bethlehem Baptist Church of the city of New York, and the German Pilgrim Baptist Church of the city of New York into a church to be known as the Second German Baptist Church of the city of New York, and to confirm the title to the property of both of the said churches in the said the Second German Baptist Church of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford	
Campbell	Genet	Mattoon	O'Donnell	Tweed	
Cauldwell	Hubbard	Morgan	Parker	Van Petten	
Chapman	Humphrey	Morris	Pierce	Williams	20

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the New York Burglar Insurance Company," was read a third time.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Parker	Tweed	
Cauldwell	Hale	Mattoon	Pierce	Van Petten	
Chapman	Hubbard	Morris	Thayer	Williams	
Edwards	Humphrey	Nicks			18

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to reorganize the fire department of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Parker	Tweed	
Campbell	Graham	Morris	Pierce	Van Petten	
Edwards	Hale	Nichols	Stanford	Williams	
Folger	Hubbard	Norton	Thayer		19

FOR THE NEGATIVE.

Cauldwell	1
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Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley, and to Patterson's Corners," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Thayer	
Campbell	Genet	Kennedy	Nicks	Tweed	
Cauldwell	Graham	Mattoon	Parker	Van Petten	
Edwards	Hubbard	Morris	Stanford	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Green Island, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morris	Stanford	
Campbell	Genet	Humphrey	Nichols	Tweed	
Cauldwell	Graham	Kennedy	Nicks	Van Petten	
Chapman	Hale	Mattoon	Parker	Williams	
Edwards					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the towns of Kirkland, Westmoreland and Rome, in Oneida county, to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Clinton, Oneida county, to Rome, in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Parker	Thayer	
Campbell	Graham	Mattoon	Pierce	Tweed	
Cauldwell	Hale	Morris	Stanford	Van Petten	
Chapman	Hubbard	O'Donnell			18

FOR THE NEGATIVE.

Folger	Genet				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to revise the charter of the village of Union Springs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Hubbard	Morris	Pierce
Campbell	Genet	Humphrey	Nicks	Tweed
Cauldwell	Graham	Kennedy	O'Donnell	Van Petten
Chapman	Hale	Mattoon	Parker	Williams
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to organize the fire department of the village of Lowville,' passed April 24, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Campbell	Folger	Humphrey	Nicks	Thayer
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Chapman	Graham	Morris	Parker	Williams
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Genet moved to take from the table the Assembly bill entitled "An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Hale moved to refer the bill to the committee on the judiciary, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hale	Stanford	Thayer	Van Petten
Edwards				

6

FOR THE NEGATIVE.

Cauldwell	Hubbard	Norton	Parker	Tweed
Genet	Kennedy	O'Donnell	Pierce	Williams
Graham	Morgan			

12

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Graham	Morgan	Norton	Pierce
Cauldwell	Hubbard	Morris	O'Donnell	Tweed
Crowley	Kennedy	Nicks	Parker	Williams
Genet	Mattoon			

17

FOR THE NEGATIVE.

Banks	Edwards	Hale	Nichols	Thayer
Chapman	Folger	Humphrey	Stanford	

9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Stanford moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Humphrey	Nichols	Stanford	Thayer
Hale				

6

FOR THE NEGATIVE.

Campbell	Edwards	Mattoon	Nicks	Pierce
Cauldwell	Genet	Morgan	O'Donnell	Tweed
Chapman	Hubbard	Morris	Parker	Williams
Crowley	Kennedy			

17

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Folger	Hale	Nichols	Thayer	Van Petten
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5

FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Nicks	Parker
Cauldwell	Hubbard	Morgan	Norton	Pierce
Chapman	Humphrey	Morris	O'Donnell	Tweed
Edwards	Kennedy			

17

The Assembly bill entitled "An act to amend chapter 350 of the Laws of 1862, being an act entitled 'An act authorizing the supervisor of the town of Hempstead, in Queens county, to call a special town meeting, to determine by ballot whether the public lands of said town called the Hempstead plains shall be sold or not,' passed April 19, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Nicks	Thayer
Cauldwell	Genet	Mattoon	Palmer	Tweed
Chapman	Graham	Morgan	O'Donnell	Williams
Crowley	Hubbard	Nichols	Pierce	

19

FOR THE NEGATIVE.

Hale Stanford 2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Tontine Mutual Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Thayer
Campbell	Genet	Humphrey	O'Donnell	Tweed
Cauldwell	Graham	Kennedy	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams 20

FOR THE NEGATIVE.

Morgan Nichols 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Delaware Bridge Company in Sullivan county, New York,' passed April 27, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bradley	Crowley	Graham	Morgan	O'Donnell
Campbell	Edwards	Humphrey	Morris	Pierce
Cauldwell	Folger	Kennedy	Nichols	Thayer
Chapman	Genet	Mattoon	Norton	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Pierce
Bradley	Edwards	Hale	Morris	Tweed
Campbell	Folger	Humphrey	Nichols	Van Petten
Cauldwell	Genet	Mattoon	O'Donnell	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Boonville, in the county of Oneida," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Mattoon	Norton	Van Petten
Cauldwell	Genet	Morgan	O'Donnell	Williams
Chapman	Graham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act entitled 'An act to amend the several acts in relation to Union village, in the county of Washington, and to change the name of said village to Greenwich,' passed April 3, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Thayer
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Norton	Van Petten
Cauldwell	Genet	Mattoon	O'Donnell	Williams
Chapman	Graham	Morgan	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act creating a separate road district in the village of Westford, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Thayer
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Hubbard	Morgan	Pierce	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to the Orange Turnpike Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Bradley	Folger	Mattoon	Norton	Tweed
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Parker	Williams
Chapman	Humphrey	Nichols	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing police officers for the village of Wellsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Norton
Bradley	Edwards	Humphrey	Morris	Pierce
Campbell	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the village of Olean, Cattaraugus county, of which Wm. Bagnall died seized, to Jacob Cook," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Thayer
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Genet	Mattoon	Norton	Van Petten
Chapman	Graham	Morgan	O'Donnell	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the trustees of the village of Mount Morris to subscribe to the capital stock of the Mount Morris Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Norton	Thayer

Cauldwell	Genet	Morgan	O'Donnell	Williams	21
Chapman					

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Commissioners of the Land Office to vacate a certain patent, issued to William Hamilton, to lands claimed by the widow and heirs of William Johnson, deceased, of the Oneida Indians," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Morgan	Thayer	
Bradley	Edwards	Hubbard	Morris	Tweed	
Campbell	Folger	Kennedy	Nichols	Van Petten	
Cauldwell	Genet	Mattoon	Pierce	Williams	
Chapman					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the distribution of the annuity due to the Onondaga Indians,' passed May 1, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Pierce	
Bradley	Edwards	Kennedy	Nicks	Tweed	
Campbell	Folger	Mattoon	O'Donnell	Van Petten	
Cauldwell	Genet	Morgan	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to widen and improve Franklin avenue, in the town of Flatbush," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce	
Bradley	Edwards	Mattoon	Nicks	Thayer	
Campbell	Genet	Morgan	O'Donnell	Van Petten	
Cauldwell	Graham	Morris	Parker	Williams	
Chapman					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the village of Chateaugay, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Mattoon	Thayer
Bradley	Crowley	Graham	Morgan	Tweed
Campbell	Edwards	Hubbard	Nichols	Van Petten
Cauldwell	Folger	Kennedy	O'Donnell	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the more effectual improvement of the roads, bridges and sidewalks in the town of Islip, in the county of Suffolk," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Bradley	Folger	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Morgan	O'Donnell	Williams
Crowley				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the fees of the sheriff of the city and county of New York, and to the fees of referees in sales in partition cases," having been announced for a third reading,

Mr. Folger moved that said bill be recommitted to the committee on the judiciary, with instructions to amend the same as follows:

Add to section 4 as follows:

"Provided, however, that the said commission shall in no case exceed the sum of \$500."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Nichols	Parker
Bradley	Edwards	Hale	Nicks	Thayer
Campbell	Folger	Humphrey	Norton	Van Petten
Chapman	Genet	Morgan	O'Donnell	Williams
				20

FOR THE NEGATIVE.

Creamer	Pierce			2
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The bill entitled "An act to authorize the Canal Appraisers to hear claims of owners of property on Black river, for damages caused by the escape of the water of North Lake reservoir, in April, 1869," having been announced for a third reading,

Mr. Nichols moved to recommit said bill to the committee on claims, with instructions to insert in section after the word "agents" the words "within the scope of their authority or official duty."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Humphrey	Morgan	Morris	Nichols	
Folger					6

FOR THE NEGATIVE.

Banks	Edwards	Kennedy	O'Donnell	Tweed	
Campbell	Genet	Mattoon	Parker	Van Petten	
Cauldwell	Graham	Nicks	Pierce	Williams	
Crowley	Hale	Norton			18

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce	
Bradley	Edwards	Hubbard	Norton	Thayer	
Campbell	Genet	Kennedy	O'Donnell	Tweed	
Cauldwell	Graham	Mattoon	Parker	Van Petten	20

FOR THE NEGATIVE.

Chapman	Nichols				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Abingdon Square Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Kennedy	Norton	
Bradley	Creamer	Graham	Mattoon	Parker	
Campbell	Crowley	Hubbard	Morris	Van Petten	
Cauldwell	Edwards	Humphrey	Nichols	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to certain bounty moneys in the town of Mansfield, in the county of Cattaraugus," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Parker
Bradley	Genet	Humphrey	Nicks	Thayer

Cauldwell	Graham	Mattoon	Norton	Van Petten	
Chapman	Hale	Morris	O'Donnell	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to the fees of the sheriff of the city and county of New York, and to the fees of the referees in sales in partition cases," with instructions to add to the 3d section the following words: "Provided, however, that the commissions allowed by this section shall not in any case exceed the sum of \$500," and to report forthwith, the bill to retain its place in the third reading of bills, so reported.

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morris	Thayer	
Bradley	Folger	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Humphrey	Norton	Williams	
Creamer	Graham	Mattoon			18

FOR THE NEGATIVE.

Campbell	Crowley	Nicks	Parker	Van Petten	
Chapman	Morgan	O'Donnell	Stanford		9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Parker	
Bradley	Edwards	Hale	Morris	Thayer	
Campbell	Folger	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Nicks	Van Petten	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to a certain highway in the town of Ramapo, county of Rockland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Thayer
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	Nicks	Van Petten
Cauldwell	Hubbard	Morgan	Parker	Williams
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Hansom Cab Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	O'Donnell
Campbell	Folger	Hubbard	Morris	Parker
Cauldwell	Genet	Kennedy	Nichols	Thayer
Creamer	Graham	Mattoon	Nicks	Van Petten
Crowley				

21

FOR THE NEGATIVE.

Bradley	Tweed	Williams		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings in the counties of Westchester, Oneida, Cortland, Broome, Putnam, Rockland, Orleans, Niagara, Livingston, Otsego, Lewis, Orange and Dutchess,' passed April 17, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Thayer
Bradley	Edwards	Kennedy	Nichols	Tweed
Cauldwell	Genet	Mattoon	Nicks	Van Petten
Creamer	Graham	Morgan	Parker	Williams

20

FOR THE NEGATIVE.

Folger	Hale	Humphrey	Stanford	
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to legalize and confirm a certain conveyance heretofore made by the trustees of the congregation Anshi Chesed in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Edwards	Humphrey			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Nicholas Van De Bogert and Giles Y. Van De Bogert," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Nicks	Tweed
Campbell	Edwards	Kennedy	Parker	Van Petten
Cauldwell	Genet	Mattoon	Stanford	Williams
Creamer	Hale	Morgan	Thayer	

19

FOR THE NEGATIVE.

Banks	Graham	Humphrey		
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of Mary Ann Millis," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Morris	Stanford
Campbell	Edwards	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	Nicks	Tweed
Chapman	Graham	Morgan	O'Donnell	Van Petten
Creamer	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the Comptroller to pay the amount awarded to Charles Weiss, in accordance with chapter 626 of the laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hale	Morris	Stanford
Campbell	Edwards	Hubbard	Nichols	Thayer
Cauldwell	Folger	Mattoon	O'Donnell	Tweed
Chapman	Genet	Morgan	Pierce	Van Petten
Creamer	Graham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Thos. T. Hunter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Mattoon	O'Donnell	Thayer
Chapman	Genet	Morgan	Pierce	Tweed
Creamer	Hale	Morris	Stanford	Van Petten
Crowley	Hubbard	Nichols		

18

FOR THE NEGATIVE.

Folger	Humphrey	
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Adam W. Smith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nicks	Thayer
Creamer	Genet	Mattoon	O'Donnell	Tweed
Crowley	Graham	Morgan	Pierce	Van Petten
Edwards	Hale	Nichols	Stanford	

19

FOR THE NEGATIVE.

Campbell	Chapman	Humphrey	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the appraisal and payment of canal damages to James H. Gilchrist, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," having been announced for a third reading,

On motion of Mr. Nichols, and by unanimous consent, said bill was amended by inserting after the word "agents" the words "within the scope of their authority or official duty."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Genet	Mattoon	Nicks	Thayer

Chapman	Graham	Morgan	O'Donnell	Tweed	
Crowley	Hale	Morris	Pierce	Van Petten	20

FOR THE NEGATIVE.

Humphrey	Williams				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Oscar S. Foster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	Nicks	Thayer	
Cauldwell	Genet	Mattoon	O'Donnell	Tweed	
Chapman	Graham	Morgan	Parker	Van Petten	
Crowley	Hale	Nichols	Pierce	Williams	20

FOR THE NEGATIVE.

Folger	Humphrey	Stanford			3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the appraisal and payment of canal damages to Patrick Buckley and Rodey Carey, caused by the waters of the Champlain canal flowing over and running through the tow-path of said canal in the town of Fort Edward, Washington county," having been announced for a third reading,

On motion of Mr. Nichols and by unanimous consent, said bill was amended by inserting after the word "agents" the words "within the scope of their authority or official duty."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Hale	Nichols	Thayer	
Cauldwell	Edwards	Hubbard	Nicks	Van Petten	
Chapman	Genet	Mattoon	O'Donnell	Williams	
Creamer	Graham	Morgan	Pierce		19

FOR THE NEGATIVE.

Folger	Humphrey				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Lucy Pickard and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Graham	Nichols	Thayer
Cauldwell	Edwards	Hale	Nicks	Tweed
Chapman	Folger	Mattoon	O'Donnell	Van Petten
Creamer	Genet	Morgan		

18

FOR THE NEGATIVE.

Humphrey	Parker	Williams
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Lewis Meeker and Geo. L. Dudley," having been announced for a third reading,

Mr. Nichols moved to recommit said bill to the committee on claims, with instructions to amend the same by inserting after the word "State" the words "or its authorized agents, acting within the scope of their authority or official duty."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Hale, from the committee on claims, reported back said entitled bill with amendments, as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Graham	Morgan	O'Donnell
Cauldwell	Edwards	Hale	Morris	Parker
Chapman	Folger	Hubbard	Nichols	Pierce
Creamer	Genet	Mattoon	Nicks	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Alvah Ward and Archibald McVickar," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Hubbard	Nichols	Pierce
Cauldwell	Genet	Mattoon	Nicks	Thayer
Chapman	Graham	Morgan	O'Donnell	Tweed
Crowley	Hale	Morris	Parker	Van Petten
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act supplementary to 'An act for the

relief of Elizabeth Craft, widow of Edwin Craft,' passed April 19, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Cauldwell.	Genet	Mattoon	Nicks	Thayer
Creamer	Graham	Morgan	O'Donnell	Tweed
Crowley	Hale	Morris	Parker	Van Petten
Edwards	Hubbard	Nichols	Pierce	Williams
Folger	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Frederick Reese," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Morgan	Thayer
Campbell	Crowley	Hale	Nicks	Tweed
Cauldwell	Edwards	Hubbard	O'Donnell	Van Petten
Chapman	Folger	Mattoon	Pierce	

19

FOR THE NEGATIVE.

Humphrey 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the appraisal and payment of damages to Enoch B. Armstrong, Henry Patrick and others, alleged to have been caused by the discharge of water from the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Graham	Morgan	Parker
Campbell	Edwards	Hale	Nichols	Thayer
Cauldwell	Folger	Hubbard	Nicks	Tweed
Chapman	Genet	Mattoon	O'Donnell	Van Petten

20

FOR THE NEGATIVE.

Humphrey 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act entitled 'An act

to suppress intemperance and to regulate the sale of intoxicating liquors," passed April 16, 1857," having been announced for a third reading.

Mr. Genet moved to recommit said bill to the committee on internal affairs of towns and counties, with instructions to strike out the words "the provisions of the act shall not apply to the Metropolitan district."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet				12

FOR THE NEGATIVE.

Campbell	Folger	Mattoon	O'Donnell	Thayer	
Chapman	Hale	Morgan	Parker	Van Petten	
Crowley	Humphrey	Nicks	Stanford	Williams	15

Said bill was then read a third time.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Morgan	Norton	Stanford	
Bradley	Graham	Morris	O'Donnell	Thayer	
Campbell	Hale	Nichols	Parker	Tweed	
Cauldwell	Hubbard	Nicks	Pierce	Van Petten	
Chapman	Mattoon				22

FOR THE NEGATIVE.

Crowley	Folger	Genet	Humphrey	Williams	
Edwards					6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Morgan offered the following:

Resolved, (if the Assembly concur,) That the Legislature adjourn on Friday, May 7th, at 12 o'clock at noon, *sine die*.

Ordered, That said resolution be laid on the table.

Mr. Van Petten moved that the committee on internal affairs of towns and counties be discharged from the further consideration of the Assembly bill entitled "An act to provide for taking down and re-erecting the east wall of the State Arsenal building on the corner of Seventh avenue and Thirty-fifth street, in the city of New York, and for procuring the additional land required for such purpose, and also for making necessary repairs to the said building, and for the construction of a magazine therein," and that the same be referred to the committee on finance.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act in relation to a stenographic reporter for the circuit courts, courts of oyer and terminer and special terms of the fifth judicial district,' passed February 25, 1867," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Williams and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the act to

incorporate the Auburn Literary Association," was recommitted to the committee on literature, with power to report complete.

Mr. Creamer moved that the preferred calendar be made the special order to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 17, 1868."

After some time spent therein the President resumed the chair, and Mr. Bradley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to establish a uniform width of tracks for vehicles using the public highways in the towns of East Hampton and Southampton, Suffolk county."

"An act to amend 'An act to incorporate the village of Cambridge,' passed April 16, 1866, and the several acts amendatory thereof."

"An act to ratify the consent of the Seneca nation of Indians to the location of a mill dam at Irving."

"An act authorizing the Saranac River Plankroad Company to establish discriminating tolls, and to change its route."

"An act providing for the improvement of Newtown creek, and for the appointment of a commissioner to report exterior lines for piers, wharves and bulkheads therein."

"An act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of the State of New York."

"An act to authorize the common council of the city of Brooklyn to open, regulate, grade and pave certain streets in said city, namely, Macon street, from Fulton avenue to Reid avenue; McDonough street, from Fulton avenue to Reid avenue; Decatur street, from Tompkins avenue to Reid avenue; Bainbridge street, from Yates avenue to Reid avenue, and Halsey street, from Bedford avenue to Broadway, and Verona place, from Fulton avenue to Macon street."

"An act to open and construct a road from Stony Creek, in the county of Warren, to Wellstown, in the county of Hamilton."

"An act to incorporate the Fort Ann Waterworks Company."

"An act to provide for the construction of a drain or sewer in Central avenue, Johnson avenue and Knickerbocker avenue, and other streets in the city of Brooklyn."

"An act to amend an act entitled 'An act to lay out, open, extend and work certain highways in the town of West Farms, known as Fairmount avenue and Berrien avenue,' chapter 736, Laws of 1868."

"An act to extend and facilitate the construction of the Cooperstown and Susquehanna Valley railroad, and to authorize any town, in the counties of Otsego and Herkimer, to issue bonds and take stock in said road."

"An act to authorize the sale of block No. 3, known as Montcalm park, in the city of Oswego."

"An act to authorize the laying out and constructing a road from Pitcairn, St. Lawrence county, to Diana, Lewis county, and apply the tax on certain lands along the line of said road to pay the expenses of laying out and constructing the same."

"An act to enable James McNierney, of New York city, to take and hold real estate, and to remove the disability of his alleged alienage, and to confirm certain conveyances to him which are claimed to be void because of alienage, and to release the claims of the people of this State to him."

"An act to authorize the town auditors of the town of Ellington, Chautauqua county, to audit the accounts, costs and damages of the late commissioners of highways of said town."

"An act authorizing additional tolls to be collected on plankroads in the county of Albany."

"An act to provide for the paving of Bushwick avenue, in the city of Brooklyn."

"An act to amend an act entitled 'An act to protect butter and cheese manufacturers,' passed May 2, 1864."

"An act to amend an act entitled 'An act to release to the heirs at law of James Todd, deceased, all the estate, title and interest of the people of the State of New York of, in and to certain real estate in the town of Rossie, and county of St. Lawrence,' passed April 5, 1867."

"An act to incorporate the Berge Choral Union."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled as follows:

"An act to authorize the rebuilding the bridge across the Mohawk river at Fink's basin and to appoint commissioners for that purpose, and to borrow money on the credit of the towns of Little Falls, Manheim and Danube."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Genet, the Senate adjourned.

TUESDAY, MAY 4, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly re-engrossed, the bills entitled as follows:

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billinghamurst and John G. Wormley."

"An act for the relief of Eli A. Bronson."

"An act to confirm the election of the trustees and officers of the village of Silver Creek and their acts."

"An act to incorporate the Clinton County Savings Bank."

"An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867."

The President announced the committee of conference upon the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2,

1850, so as to permit municipal corporations to aid in the construction of railroads," as Messrs. Hale, Hubbard and Pierce.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the act incorporating the village of Carthage, in the county of Jefferson," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the act incorporating the village of Port Leyden, in the county of Lewis," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the city of Watertown," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11th, 1865, and the act amendatory thereof, passed May 11th, 1868," reported in favor of the passage of the same with amendments.

On motion of Mr. Crowley and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Port Byron,' passed March 28, 1855,'" reported in favor of the passage of the same with amendments.

On motion of Mr. Williams and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Clyde, in the county of Wayne,' passed May 2, 1835," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to railroad and omnibus employees in the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Creamer dissented from said report, and requested the same entered upon the journal.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and also the act supplementary thereto, passed January 2, 1869," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the common council of the city of Buffalo to construct a bridge across Buffalo river," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to alter the map or plan of the city of New York, and to carry the alterations into effect," reported in favor of the passage of the same with amendments.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1846, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of the village of Akron, Erie county,' passed December 7, 1847," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for raising money by board of trustees of the village of Port Richmond, with which to improve the roads, avenues and streets in said village, and for other improvements in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to alter the map of the 'Commissioners of the Central park,' so far as it establishes a road or public drive running westerly of the Eleventh avenue from One Hundred and Fifty-sixth street north, to the junction of said drive with the old military road on the property of the Institution for the Blind," reported in favor of the passage of the same.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That there be printed, as last year, the same number of copies of the Transactions of the New York State Agricultural Society and American Institute, for each member, officer and reporter of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and

the acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled 'An act authorizing the appraisal and payment of canal damages to James O'Brien, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," reported in favor of the passage of the same with amendments.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open and improve a public highway or avenue from Prospect park, in the city of Brooklyn, to Coney Island, in the county of Kings," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act giving the assent of the Legislature of the State of New York to an act of the Legislature of the State of Pennsylvania, entitled 'An act to incorporate the Equinunk Bridge Company,' approved February 18, 1860," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1869," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nichols dissented from so much of said bill as directs the Treasurer to draw his check on such banks as the Auditor shall direct, and from section 3, which abolishes the office of superintendents.

Mr. Mattoon dissented from so much of the report as relates to the abolition of superintendents on the canals.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act authorizing the draining of certain lands in the town of Murray, in the county of Orleans, caused to overflow by the Erie canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the re-opening old and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Erie canal on the farm of Arsino B. Warner, in the town of Greece, county of Monroe," reported in favor of

the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act for the payment of Charles A. Donalds for the construction of a dam across the Mohawk river at Rexford Flats," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of an iron bridge across the Erie canal in the city of Utica across Broadway street," reported adversely thereto, which report was agreed to and said bill rejected.

Messrs. Stanford and Mattoon stated their dissent from said report, which was ordered entered upon the journal.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the Insurers' Own Insurance Company of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

"An act in relation to the South Brooklyn Savings Institution."

Mr. Kennedy, from the select committee of nine, reported the following entitled bills complete:

"An act to unite and protect ancient burying grounds, and establishing a rural cemetery, and a free burying ground in the town of New Lebanon, Columbia county, New York."

Assembly, "An act to incorporate the Young Men's Lyceum of the village of Tarrytown, Westchester county."

Assembly, "An act to further amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue.'"

Assembly, "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas in and for the city and county of New York, and fixing the compensation of the deputy and assistant record clerk in said office."

Assembly, "An act to incorporate the Mechanics' Savings Bank of Auburn."

"An act for the improvement of certain parts of Westchester county, Harlem river and Spuyten Duyvil creek."

Assembly, "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York Railroad Company."

Assembly, "An act to incorporate the City Hall Company of the city of Troy."

Assembly, "An act to confirm certain acts of the recorder of the city of Troy."

Assembly, "An act to repeal an act entitled 'An act in relation to the Troy and Boston Railroad Company,' passed April 25th, 1867, and to regulate the fare thereon."

Assembly, "An act to authorize the congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for deceased members."

Assembly, "An act authorizing the managing board of the Gowanda Agricultural, Horticultural and Mechanical Society to assess and levy a tax upon the capital stock sufficient to pay for the real estate purchased and used by said society for exhibition grounds, and the expenses of levying and collecting the same."

Assembly, "An act to incorporate 'The Social Maennerchor' of the city of New York."

Assembly, "An act to amend an act entitled 'An act to incorporate the Samaritan Home for the aged of the city of New York,' passed March 23, 1867."

Assembly, "An act to close that portion of Water street, in the Seventeenth ward of the city of Brooklyn, extending from Union avenue to Ash street."

Assembly, "An act in relation to the court of oyer and terminer in and for the city and county of New York."

Assembly, "An act to authorize the New York Vereinigte Bau Gesellschaft to sell and convey lands."

Assembly, "An act to permit the Albany and Sand Lake Plankroad Company to abandon a part of their road."

"An act to authorize the Mariposa Company to issue a first preferred stock."

Assembly, "An act to amend an act entitled 'An act to incorporate Clifton Engine Company No. 8, in the town of Southfield, Richmond county,' passed April 25, 1864."

Assembly, "An act to amend 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848."

Assembly, "An act to amend an act entitled 'An act to amend an act to incorporate the Mercantile Library Association of the city of Brooklyn,' passed March 15, 1859, passed March 16, 1865."

Assembly, "An act to provide for the erection of a public market in the Twenty-first ward of the city of New York."

Assembly, "An act to incorporate the Excelsior Savings Bank in the city of New York."

Assembly, "An act for the relief of John Henry Winter."

Assembly, "An act to regulate, grade, widen, gravel and improve a public highway in the towns of East Chester, Scarsdale and White Plains, in the county of Westchester, commonly called the 'Old White Plains post road,' and also a portion of Fourth avenue, in the village of Central Mount Vernon."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *May 3, 1869.*

His Excellency the Governor having, in pursuance of a joint resolution of the Senate and Assembly, returned the bill entitled "An act to incorporate the Buffalo Turnverein," and the vote on the final passage thereof having been reconsidered, said bill was amended by striking out the word "fifty" in line 5, section 5, and inserting in lieu thereof the word "seventy-five."

Said bill, as amended, was read a third time and passed, and ordered sent to the Senate for concurrence.

The President put the question whether the Senate would agree to reconsider the vote upon the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford
Beach	Crowley	Hubbard	Nicks	Thayer
Campbell	Edwards	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten 20

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Thayer
Beach	Edwards	Mattoon	Palmer	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Hale, from the committee on claims, to which was recommitted the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to James O'Brien, caused by the water flowing over and through the tow-path of Champlain canal," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to alter the map of the 'Commissioners of the Central park,' so far as it establishes a road or public drive running westerly of the Eleventh avenue from One Hundred and Fifty-sixth street north, to the junction of said drive with the old military road on the property of the Institution for the Blind," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

A message from the Assembly was received and read, in the words following :

The committee of conference on the matters in difference between the two Houses upon the bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value there-

of," do recommend that the Assembly recede from their amendments to said entitled bill.

JOHN I. NICKS,
L. H. MORGAN,
Senate Committee.

SAMUEL MITCHELL,
GEORGE COOK,
P. R. DYCKMAN,
J. L. LAMOREE,
EDWARD STURGES,
Assembly Committee.

Dated May 3, 1869.

IN ASSEMBLY, May 3, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Beach	Edwards	Kennedy	Nichols	Thayer
Campbell	Graham	Mattoon	Nicks	Van Petten
Cauldwell	Hale	Morgan	Parker	Williams
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to amend the act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga, passed April 29, 1863," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, 'and to ratify proceedings heretofore had under said act,' passed May 2d, 1868," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was recommended the Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to legalize and confirm the articles of association of the Black River and St. Lawrence Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Nichols	Pierce
Beach	Folger	Hubbard	Nicks	Stanford
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Veteran Corps of the Washington Gray Cavalry of the National Guard of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	O'Donnell	Thayer
Campbell	Edwards	Nichols	Palmer	Van Petten
Cauldwell	Graham	Nicks	Pierce	Williams
Chapman	Kennedy			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Port Chester Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Thayer
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Graham	Nichols	Pierce	Williams
Chapman	Kennedy	Nicks	Stanford	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to facilitate the construction, completion and equipment of the Buffalo, Corry and Pittsburgh railroad, and to enable any railroad corporation in this State to loan its credit and take stock in said railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Nicks	Stanford
Campbell	Crowley	Morgan	Palmer	Van Petten
Cauldwell	Edwards	Morris	Pierce	Williams
Chapman	Kennedy	Nichols		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to common schools in the village of Elmira,' passed April 4, 1859, and the amendments thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Stanford
Campbell	Crowley	Humphrey	Nicks	Thayer
Cauldwell	Edwards	Kennedy	Palmer	Tweed
Chapman	Folger	Morgan	Parker	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of West Mount Vernon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

.Banks	Chapman	Folger	Mattoon	Pierce
Beach	Creamer	Hubbard	Morgan	Stanford
Campbell	Crowley	Humphrey	Nichols	Thayer
Cauldwell	Edwards	Kennedy	Nicks	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize and allow all persons who sustained damages to their property, situated on the pier, in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 20th day of April, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Morgan	Parker	Thayer
Campbell	Hubbard	Nichols	Pierce	Tweed
Cauldwell	Kennedy	Nicks	Stanford	Van Petten
Creamer				16

FOR THE NEGATIVE.

Chapman	Crowley	Folger	Hale	4
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Mr. Banks moved to reconsider the vote just taken, and that that motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act relative to the improvement of Mamaroneck harbor, and for the promotion of the public health," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Thayer
Beach	Edwards	Morgan	Parker	Tweed
Cauldwell	Genet	Morris	Pierce	Van Petten
Chapman	Hale	Nichols	Stanford	Williams

20

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the comptroller of the city of Brooklyn to issue registered bonds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Mattoon	Parker
Beach	Creamer	Graham	Morris	Thayer
Campbell	Crowley	Humphrey	Nicks	Tweed
Cauldwell	Edwards	Kennedy	Palmer	Williams

20

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open and grade and pave and complete certain streets in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Creamer	Hale	Morgan	Stanford	Williams

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the actions of a special town meeting held in the town of Little Valley, county of Cattaraugus, on the 29th day of August, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Chapman	Hale	Morgan	Stanford	Williams
Creamer				

21

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the draining of the low lands of the town of Wheatfield, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Thayer
Campbell	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Palmer	Van Petten
Chapman	Graham	Morris	Stanford	Williams
Creamer	Humphrey	Nichols		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to build a bridge over the Chemung river, in the town of Big Flats, in the county of Chemung," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nicks	Thayer
Campbell	Edwards	Humphrey	Palmer	Tweed
Cauldwell	Folger	Kennedy	Pieroe	Van Petten
Chapman	Genet	Morgan	Stanford	Williams
Creamer	Graham	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Banks moved to take from the table the motion to reconsider the vote upon the third reading of the Assembly bill entitled "An act to authorize and allow all persons who sustained damages to their property, situated on the pier, in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 20th day of April, 1866."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Creamer	Hale	Morris	Pierce	Van Petten
Edwards	Kennedy	Nichols	Stanford	19

FOR THE NEGATIVE.

Folger

1

On motion of Mr. Banks and by unanimous consent said bill was amended by adding to section 1 as follows:

"And nothing herein contained shall be construed as in any way affecting the question of the liability of the city of Albany upon said bonds."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Graham	Morris	Parker	Tweed
Creamer	Hale	Nichols	Pierce	Van Petten
				2

FOR THE NEGATIVE.

Banks	Chapman	Folger	Humphrey	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to contracts for constructing Oneida Lake canal, and to correct certain errors therein," having been announced for a third reading,

Mr. Stanford moved to recommit said bill to the committee on canals, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Pierce
Beach	Genet	Mattoon	Norton	Thayer
Bradley	Graham	Morgan	Palmer	Tweed
Campbell	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols		

23

FOR THE NEGATIVE.

Chapman	Folger	Stanford		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act releasing the interest of the people of the State of New York in certain real estate to Thos. C. T. Buckley," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Palmer
Campbell	Edwards	Hubbard	Morris	Parker
Cauldwell	Folger	Humphrey	Nichols	Thayer
Chapman	Genet	Kennedy	Norton	Tweed
Creamer	Graham	Mattoon	O'Donnell	Van Petten

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Chas. J. DeGraw," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Hubbard	Norton	Tweed
Bradley	Graham	Kennedy	Palmer	Van Petten
Cauldwell	Hale	Mattoon	Pierce	Williams
Edwards				

16

FOR THE NEGATIVE.

Beach	Chapman	Folger	Nicks	Stanford
Campbell	Crowley	Morris	Parker	

9

When the names of Messrs. Nichols, Murphy and O'Donnell were called, they severally asked to be excused from voting, and were so excused.

The Assembly bill entitled "An act authorizing Henry E. Ripley, substituted trustee under the will of Sarah Maybee, late of Queens county, deceased, or such other trustees as may be appointed by the Supreme Court, to sell the trust estate upon the application of Garret M. Maybee and Lydia Maybee, his wife, and the descendants of Garret M. Maybee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Murphy	Stanford
Bradley	Genet	Kennedy	O'Donnell	Thayer
Campbell	Graham	Mattoon	Parker	Van Petten
Cauldwell				

21

FOR THE NEGATIVE.

Folger				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Mattoon moved to reconsider the vote by which the Assembly bill entitled "An act for the relief of Charles J. De Graw," was lost.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Nichols	Pierce
Bradley	Graham	Mattoon	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Edwards	Hubbard	Murphy		

18

FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Parker	Stanford
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5

On motion of Mr. Hale and by unanimous consent said bill was amended by inserting the word "alleged" before the word "damages."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	O'Donnell
Beach	Edwards	Hubbard	Murphy	Palmer
Bradley	Genet	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	Norton	Van Petten

20

FOR THE NEGATIVE.

Chapman	Folger	Nicks	Parker	Stanford
Crowley	Humphrey			

7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 28, 1862, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Beach	Folger	Mattoon	Norton	Thayer
Campbell	Genet	Morris	Palmer	Van Petten
Cauldwell	Graham	Murphy	Parker	Williams
Chapman	Hale	Nichols	Pierce	24

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the appointment of commissioners to lay out a plan for roads and streets in the towns of Kings county," having been announced for a third reading,

Mr. Murphy moved to recommit said bill to the committee on roads and bridges, with instructions to amend section 5 by inserting after the words "the consent of said commissioners first obtained," the following: "but nothing herein contained shall be construed to prevent the laying out of any street, road, avenue or boulevard specially authorized by act of the Legislature; but any street, road, avenue or boulevard so authorized, shall be laid out, anything in this act to the contrary notwithstanding," and report the same forthwith.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, reported back said bill amended, as instructed by the Senate."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Genet	Mattoon	Nicks	Stanford
Bradley	Hubbard	Morgan	Norton	Tweed
Campbell	Humphrey	Murphy	Parker	Van Petten
Cauldwell				21

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act passed April 13, 1819, entitled 'An act to incorporate the members of the Genesec Annual Conference,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Parker
Beach	Edwards	Mattoon	Nicks	Stanford
Campbell	Folger	Morgan	Norton	Tweed

Cauldwell	Hale	Morris	O'Donnell	Van Petten	22
Chapman	Hubbard				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the contract of Myron H. Mills on the Genesee Valley canal and the work connected therewith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Pierce	
Beach	Edwards	Mattoon	O'Donnell	Tweed	
Bradley	Genet	Morgan	Palmer	Van Petten	
Campbell	Hubbard	Nichols	Parker	Williams	
Cauldwell					21

FOR THE NEGATIVE.

Folger	Morris	Stanford	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the removal of certain female convicts to the penitentiary at Syracuse, and to provide for the imprisonment of female convicts in such penitentiary, and in the State prison at Sing Sing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Nicks	Pierce	
Beach	Edwards	Hubbard	O'Donnell	Thayer	
Bradley	Genet	Mattoon	Palmer	Tweed	
Campbell	Graham	Murphy	Parker	Van Petten	20

FOR THE NEGATIVE.

Humphrey	Morgan	Morris	Nichols	Norton	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," reported the same to the Senate with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Genet moved that the special order set down for 12 o'clock M., this day, be postponed, and that the Senate now go into committee of the whole upon said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. O'Donnell moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	O'Donnell	Pierce
Campbell	Edwards	Mattoon	Palmer	Tweed
Cauldwell	Folger	Norton	Parker	Van Petten
Chapman	Genet			

17

FOR THE NEGATIVE.

Graham;	Hubbard	Morris	Nichols	Thayer
Hale	Morgan	Murphy	Stanford	Williams

10

Ordered, That said bill be read a third time.

The Assembly returned the bill entitled "An act to enable incorporated rural cemetery associations, in the town of Hornellsville, to acquire title to lands where the owner or owners are unwilling to sell, or where the cemetery association and the owners cannot agree upon the value thereof," with a message that they consent to the appointment of a committee of conference, and have appointed as such committee on the part of the Assembly, Messrs. S. Mitchell, Cook, Dyckman, Sturges and La Moree.

The Assembly returned the bill entitled "An act to amend chapter 556 of the Laws of 1864, in relation to instruction in academies in common school teaching," with a message that they do non-concur in the passage of the same.

The Assembly returned the Assembly bill entitled "An act to provide for the laying out and opening of a highway in the village of Huntington, in the town of Huntington, Suffolk county," with a message that they had concurred in the amendments made thereto by the Senate.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the Abingdon Square Savings Bank of the city of New York."

"An act to revise the charter of Union village."

"An act to legalize the acts of Henry E. Barnard, a justice of the peace of Clinton county."

"An act to increase the rate of commutation of sentence to be earned by convicts under the provisions of section 2, chapter 417 of the Laws of 1862, and the acts amendatory thereof."

"An act to authorize the Port Jervis Waterworks Company to issue bonds."

"An act to authorize the construction of a railroad in the town and county of Onondaga, from New Brighton to Onondaga Valley, and to Patterson's Corners."

"An act to amend an act entitled 'An act to incorporate the contributors of the New York Dispensary,' passed April 8, 1795."

"An act to authorize the commissioners of highways of the town of

Scio, in the county of Allegany, to enter upon lands adjacent to highways, in said town of Scio, for the purpose of fortifying to protect the roads and bridges in said town."

"An act requiring the Fonda, Johnstown and Gloversville Railroad Company to restore the public highway in the town of Mohawk, known as the Fonda and Garoga plankroad, to its original line."

"An act to authorize the purchase of a farm for the town poor of the town of Hempstead, Queens county."

"An act to incorporate the Great Neck Dock Company."

"An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate."

"An act to amend 'An act to more particularly define the duties of overseer of highways,' passed May 9, 1868."

"An act to authorize certain towns in Oneida county to issue bonds and take stock in any company now organized or that may be hereafter organized within two years after the passage of this act, for the purpose of building a railroad from Clinton, Oneida county, to Rome in said county."

"An act to authorize the city of Oswego to borrow money for the purpose of building a city hall."

"An act in relation to the fees of the sheriff of the city and county of New York, and to the fees of referees in sales in partition cases."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to amend the charter of the Asbury Life Insurance Company."

"An act to amend chapter 115 of the Laws of 1841, entitled 'An act to incorporate the Albany Cemetery Association.'"

"An act to incorporate the Americus 6 Association of the city of New York."

"An act to authorize the construction of a railroad in the village of Warsaw, and from said village of Warsaw to the passenger and freight depots of the Erie Railway Company, in the town of Warsaw."

"An act to amend an act entitled 'An act to incorporate the International Bridge Company,' passed April 7, 1857, and to authorize the consolidation of said company with any bridge company heretofore incorporated by the laws of the province of Canada, or which shall hereafter be incorporated by the laws of the Dominion of Canada."

"An act in relation to the Western Insurance Company in the city of Buffalo."

"An act to legalize and confirm a certain conveyance heretofore made by the trustees of the congregation Anshi Chesed, in the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Assembly bill entitled "An act to reorganize the fire department of the city of Brooklyn," with a message that they had concurred in the amendments made thereto by the Senate.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills:

"An act to confirm the election of the trustees and officers of the village of Silver Creek and their acts."

"An act to amend the act entitled 'An act to aid the Elmira Female College,' passed April 23, 1867."

"An act to incorporate the Clinton County Savings Bank."

"An act for the relief of Eli A. Bronson."

"An act for the relief of Erastus Knapp, Jefferson Johnson, Orrin W. Rose, Lucien Billingshurst and John G. Wormley."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act authorizing and requiring the town of Olean, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Luzerne Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend and revise an act entitled 'An act to authorize the construction of a railroad from the village of Horseheads to the city of Elmira, in the county of Chemung, through the streets of the said village and city,' passed April 18, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to authorize the construction of a railroad from the village of Herkimer through the village of Mohawk to the village of Ilion,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to sewerage in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Mattoon and by unanimous consent the rules were suspended, and said bill was referred to the committee on internal affairs of towns and counties, to report complete.

"An act to grade, repave and regulate Columbia street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the commissioners of highways to construct bridges in the town of Ellisburgh, county of Jefferson, and to levy tax for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to legalize the acts of officers of the village of North Watertown, in the county of Jefferson, elected on the 2d day of March, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of Port Jervis, in the county of Orange, passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Church Building Aid Association of the Wesleyan Methodist Connection of America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to punish fraud in canvassing county, or returning votes cast at election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act changing the name of the First Methodist Episcopal Church of Port Jervis, New York, to the Drew Centennial Methodist Episcopal Church of Port Jervis, New York,' passed March 28, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend an act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847, passed April 7, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to suppress lotteries and the sale of lottery tickets or policies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act in relation to interest on judgments, and for other purposes,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to improve certain streets in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the commissioners of highways of the town of Watertown, county of Jefferson, to borrow money to repair the suspension bridge over Black river at Watertown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for the transfer of certain arsenals or armories belonging to the State to the county authorities of the counties in which they are located," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act in relation to safe deposit companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to extend Charles street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of Alden, in Erie county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to extend the exemption from distress for rent and sale under execution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to sales for taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of Amsterdam village, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release and convey the interest of the people of the State of New York in certain real estate in the city and county of New York

to Arthur Dougherty, William Dougherty, Catharine Dougherty and Mary Dougherty, heirs of Martha Dougherty, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the election of a fifth justice of the peace in the town of Richland, in and for the county of Oswego, and for the future election of five justices of the peace in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate:

"An act for the relief of Lucy Pickard and others."

"An act for the relief of Adam W. Smith."

"An act to incorporate the Real Estate Assurance Company of the city of New York."

"An act for the relief of Alva Ward and Archibald McVicker."

"An act to incorporate the Hansom Cab Company."

"An act to release the interest of the people of the State of New York in certain real estate in the village of Olean, Cattaraugus county, of which William Bagnall died seized, to Jacob Cook."

"An act to amend an act entitled 'An act to organize the fire department of the village of Lowville,' passed April 24, 1867."

"An act authorizing the appraisal and payment of canal damages to James H. Gilchrist, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county."

"An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rodey Carey, caused by the waters of the Champlain canal flowing over and running through the tow-path of said canal in the town of Fort Edward, Washington county."

"An act to further amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Genet, the Senate adjourned.

WEDNESDAY, MAY 5, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to unite and protect ancient burying grounds, and establish a rural cemetery, and a free burying ground in the town of New Lebanon, Columbia county, New York."

"An act for the improvement of certain parts of Westchester county, Harlem river and Spuyten Duyvil creek."

"An act to authorize the Mariposa Company to issue a first preferred stock."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to authorize the Steam Stone Cutter Company to dispose of its property," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Graham	Morris	Parker	
Cauldwell	Edwards	Hubbard	Nichols	Pierce	
Chapman	Folger	Mattoon	O'Donnell	Stanford	
Creamer	Genet	Morgan	Palmer	Thayer	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Young Men's Lyceum of the village of Tarrytown, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Morris	Parker	
Campbell	Crowley	Hubbard	Nichols	Pierce	
Cauldwell	Edwards	Kennedy	O'Donnell	Stanford	
Chapman	Genet	Morgan	Palmer	Thayer	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to repeal an act entitled 'An act in relation to the Troy and Boston Railroad Company,' passed April 25, 1867, and to regulate the fare thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Morris	Pierce	
Campbell	Genet	Mattoon	O'Donnell	Stanford	
Cauldwell	Graham	Morgan	Parker	Thayer	
Creamer	Hubbard				17

FOR THE NEGATIVE.

Chapman	Folger	Palmer			3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide a supply of water in the village of Rome," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Murphy	Parker
Campbell	Edwards	Kennedy	Nicks	Pierce
Cauldwell	Folger	Mattoon	O'Donnell	Stanford
Chapman	Genet	Morgan	Palmer	Thayer
Creamer	Graham	Morris		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter, and to confer additional powers upon the trustees of the village of Jamaica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	Nicks	Pierce
Campbell	Genet	Morgan	O'Donnell	Stanford
Cauldwell	Graham	Morris	Palmer	Thayer
Creamer	Hubbard	Nichols	Parker	Van Petten
Edwards	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confirm certain acts of the recorder of the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hubbard	Nichols	Parker
Campbell	Crowley	Kennedy	Nicks	Pierce
Cauldwell	Genet	Morgan	O'Donnell	Stanford
Chapman	Graham	Morris	Palmer	Van Petten

20

FOR THE NEGATIVE.

Folger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Samaritan Home for the aged of the city of New York,' passed March 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Chapman	Genet	Mattoon	Morris	Nicks
Creamer	Hubbard	Morgan	Murphy	Palmer
Edwards				

11

FOR THE NEGATIVE.

Beach	Crowley	Kennedy	Stanford	Van Petten
Bradley	Folger	O'Donnell	Thayer	Williams
Cauldwell	Graham	Parker		13

Mr. Palmer moved to reconsider the vote just taken, and to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act authorizing the managing board of the Gowanda Agricultural, Horticultural and Mechanical Society to assess and levy a tax upon the capital stock sufficient to pay for the real estate purchased and used by said society for exhibition grounds, and the expenses of levying and collecting the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Parker
Campbell	Folger	Kennedy	Nicks	Thayer
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Creamer	Graham	Morgan	Palmer	Williams
				20

FOR THE NEGATIVE.

Bradley	1
---------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Palmer	Thayer
Bradley	Creamer	Hubbard	Parker	Van Petten
Campbell	Edwards	Mattoon	Stanford	Williams
Cauldwell	Graham	O'Donnell		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the establishment of a Normal and Training school in the village of Plattsburgh, to be called 'The Clinton Normal and Training School,'" having been announced for a third reading,

On motion of Mr. Hale and by unanimous consent, the title of said bill was amended by striking out "Clinton" and inserting "Plattsburgh."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Palmer	Thayer
Beach	Edwards	Kennedy	Parker	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Campbell	Graham	Morgan	Stanford	Williams
Cauldwell	Hale	O'Donnell		23

FOR THE NEGATIVE.

Folger	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the City Hall Company of the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	O'Donnell	Thayer
Campbell	Genet	Kennedy	Palmer	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Chapman	Hale	Nicks	Stanford	Williams
Creamer				21

FOR THE NEGATIVE.

Folger	Parker	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to further amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Parker	Tweed
Cauldwell	Graham	Murphy	Pierce	Van Petten
Chapman	Hubbard	Nichols	Stanford	Williams
Edwards	Kennedy	Palmer	Thayer	19

FOR THE NEGATIVE.

O'Donnell	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Clyde Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Folger	Kennedy	O'Donnell	Thayer
Chapman	Graham	Mattoon	Palmer	Tweed
Creamer	Hale	Morgan	Parker	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the South Brooklyn Savings Institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Palmer	Thayer
Cauldwell	Genet	Mattoon	Parker	Tweed
Chapman	Graham	Morgan	Pierce	Van Petten
Creamer	Hubbard	Murphy	Stanford	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas in and for the city and county of New York, and fixing the compensation of the deputy and assistant record clerk in said office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Palmer	Thayer
Creamer	Hale	Nichols	Pierce	Tweed
Edwards	Hubbard	Norton	Stanford	Van Petten
Genet	Kennedy			

17

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Nicks	O'Donnell
Chapman				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Mechanics' Savings Bank of Auburn," having been announced for a third reading,

Mr. Palmer moved to recommit said bill to the committee on banks.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the congregation Agudath Achim Mekrakar, of the city of New York, to pay sick and funeral benefits to its members, and provide suitable interment for deceased members," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Norton	Stanford
Cauldwell	Genet	Mattoon	Palmer	Thayer
Chapman	Graham	Morgan	Parker	Tweed
Creamer	Hale	Nicks	Pierce	Van Petten
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The Social Mannerchor' of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Thayer
Cauldwell	Genet	Humphrey	Palmer	Tweed
Chapman	Graham	Mattoon	Pierce	Van Petten
Creamer	Hale	Nichols		

18

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to close that portion of Water street, in the Seventeenth ward of the city of Brooklyn, extending from Union avenue to Ash street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Murphy	Pierce
Campbell	Genet	Mattoon	Nichols	Thayer
Cauldwell	Hale	Morgan	Nicks	Tweed
Chapman	Hubbard	Morris	Palmer	Van Petten
Creamer	Humphrey			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the court of oyer and terminer in and for the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Nichols	Pierce
Cauldwell	Graham	Kennedy	Norton	Thayer

Creamer	Hale	Mattoon	Palmer	Tweed	
Edwards	Hubbard	Murphy	Parker	Van Petten	20

FOR THE NEGATIVE.

Morgan

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the New York Vereinigte Bau Gesellschaft to sell and convey lands," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nichols	Thayer	
Campbell	Genet	Kennedy	Parker	Tweed	
Cauldwell	Graham	Mattoon	Pierce	Van Petten	
Edwards	Hale	Morris			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to permit the Albany and Sand Lake Plankroad Company to abandon a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Thayer	
Campbell	Genet	Kennedy	Nicks	Van Petten	
Cauldwell	Graham	Mattoon	Norton	Williams	
Edwards	Hubbard	Morris	Parker		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate Clifton Engine Company No. 8, in the town of Southfield, Richmond county, passed April 25, 1864,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Nichols	Pierce	
Cauldwell	Genet	Kennedy	Nicks	Stanford	
Chapman	Graham	Mattoon	Norton	Van Petten	
Crowley	Hale	Morris	Palmer	Williams	20

FOR THE NEGATIVE.

Beach

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford
Beach	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	Palmer	Van Petten
Chapman	Graham	Morris	Parker	Williams
Creamer	Hale			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Cauldwell	Folger	Humphrey	Nicks	Tweed
Chapman	Genet	Kennedy	Palmer	Van Petten
Creamer	Hale	Morgan	Parker	Williams

20

FOR THE NEGATIVE.

Beach	Bradley	Campbell	Graham	Norton
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the Mercantile Library Association of the city of Brooklyn,' passed March 15, 1859, passed March 16, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Hubbard	Nichols	Parker
Cauldwell	Genet	Mattoon	Nicks	Pierce
Creamer	Graham	Morris	Norton	Stanford
Edwards	Hale	Murphy	Palmer	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Excelsior Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Norton	Stanford
Bradley	Folger	Humphrey	Palmer	Thayer
Cauldwell	Graham	Kennedy	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams
Creamer				

21

FOR THE NEGATIVE.

Nichols

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to regulate, grade, widen, gravel and improve a public highway in the towns of East Chester, Scarsdale and White Plains, in the county of Westchester, commonly called the 'Old White Plains post road,' and also a portion of Fourth avenue, in the village of Central Mount Vernon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Palmer	Thayer
Beach	Folger	Kennedy	Parker	Tweed
Bradley	Graham	Mattoon	Pierce	Van Petten
Chapman	Hale	Morris	Stanford	Williams
Creamer	Hubbard	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of John Henry Winter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Graham	Morris	Parker	Williams
Creamer	Hubbard	Murphy	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Stanford
Campbell	Graham	Mattoon	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Chapman	Humphrey	Nicks	Pierce	Williams 20

FOR THE NEGATIVE.

Bradley	Creamer	Genet	Norton	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to alter the map of the 'Commissioners of the Central park,' so far as it establishes a road or public drive running westerly of the Eleventh avenue from One Hundred and Fifty-sixth street north, to the junction of said drive with the old military road on the property of the Institution for the Blind," having been announced for a third reading,

Mr. Palmer moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Stanford
Bradley	Edwards	Mattoon	Parker	Tweed
Campbell	Genet	Morris	Pierce	Van Petten
Cauldwell	Graham	Nichols		18

FOR THE NEGATIVE.

O'Donnell	Palmer	Thayer	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the 'Act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga,' passed April 29th, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	Palmer	Tweed
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to James O'Brien caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Thayer
Bradley	Creamer	Hubbard	Norton	Tweed
Campbell	Genet	Kennedy	Pierce	Van Petten
Cauldwell	Graham	Mattoon	Stanford	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, 'and to ratify proceedings heretofore had under said act,' passed May 2, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Norton	Thayer
Bradley	Creamer	Hubbard	Palmer	Van Petten
Campbell	Edwards	Mattoon	Pierce	Williams
Cauldwell	Graham	Morris	Stanford	

19

FOR THE NEGATIVE.

Folger	Nicks
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the improvement of certain parts of Westchester county, Harlem river and Spuyten Duyvil creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morgan	Stanford
Campbell	Crowley	Hubbard	Nichols	Van Petten
Cauldwell	Edwards	Humphrey	Nicks	Williams
Chapman	Graham	Mattoon	Palmer	

19

FOR THE NEGATIVE.

Norton	Parker	Tweed
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the act incorporating the village of Carthage, in the county of Jefferson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Morris	Palmer
Bradley	Creamer	Graham	Nicks	Thayer
Campbell	Crowley	Hubbard	Norton	Van Petten
Cauldwell	Edwards	Mattoon	O'Donnell	Williams

20

Ordered; That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Bradley	Hale	Mattoon	Norton	Tweed
Campbell	Hubbard	Morris	Palmer	Van Petten
Cauldwell	Humphrey	Nichols	Stanford	Williams
Crowley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act to incorporate the village of Port Leyden, in the county of Lewis," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Crowley	Humphrey	Nicks	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Tweed
Cauldwell	Folger	Mattoon	Palmer	Van Petten
Chapman	Hale	Morgan	Parker	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the erection of a public market in the Twenty-first ward of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	Parker
Bradley	Crowley	Hubbard	Morgan	Pierce
Campbell	Edwards	Humphrey	O'Donnell	Tweed
Cauldwell	Folger	Kennedy	Palmer	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the city of Watertown," having been announced for a third reading,

On motion of Mr. O'Donnell and by unanimous consent, said bill was amended by striking out "May" and inserting "June."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Pierce
Bradley	Creamer	Kennedy	O'Donnell	Thayer
Campbell	Edwards	Mattoon	Palmer	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to unite and protect ancient burying grounds, and establish a rural cemetery, and a free burying ground in the town of New Lebanon, Columbia county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Mattoon	Parker	Tweed
Cauldwell	Graham	Morgan	Pierce	Van Petten
Chapman	Humphrey	O'Donnell	Stanford	Williams
Creamer	Kennedy	Palmer		18

FOR THE NEGATIVE.

Banks	Folger	Nichols	Norton	Thayer 6
Bradley				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making appropriations for support of government, and for supplying deficiencies in former appropriations," having been announced for a third reading,

On motion of Mr. Tweed and by unanimous consent, said bill was amended by striking out in the appropriation to Warren Leland "\$2,000" and inserting "\$6,000."

Mr. Nichols moved to recommit the bill to the committee on finance, with instructions to amend the item for addition to salary of Superintendent of Public Instruction, by striking out "\$1,000" and inserting "\$1,500." And also to amend the paragraph for addition to the salary of the Auditor, by striking out "\$1,000" and inserting "\$1,500."

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, reported back said bill amended, as instructed by the Senate.

Mr. Hubbard moved to recommit said bill to the committee on finance, with instructions to amend as follows:

"For Walter A. Cook, for services in arranging, filing and making index of papers on file in the Assembly, per resolution of the House, adopted May 6, 1868, \$500; and for services as journal clerk at the commencement of the present session, \$400 and mileage."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Graham	Morgan	Nichols	Pierce	
Cauldwell	Hubbard	Morris	Norton	Tweed	
Edwards					11

FOR THE NEGATIVE.

Beach	Folger	Mattoon	Palmer	Thayer	
Campbell	Hale	Murphy	Parker	Van Petten	
Chapman	Humphrey	Nicks	Stanford	Williams	
Crowley	Kennedy	O'Donnell			18

Mr Stanford moved to recommit said bill to the committee of the whole, and that the Senate immediately resolve itself into a committee of the whole upon the same.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Murphy	Parker	Stanford	
Bradley	Hubbard	Nichols	Pierce	Thayer	
Edwards	Morris				12

FOR THE NEGATIVE.

Campbell	Folger	Mattoon	Norton	Tweed	
Cauldwell	Humphrey	Morgan	O'Donnell	Van Petten	
Chapman	Kennedy	Nicks	Palmer	Williams	
Crowley					16

Mr. Nichols moved to recommit said bill to the committee on finance, with instructions to insert the following amendment:

At the end of line 513, printed bill, add: "and to purchase the bust of Alexander Hamilton, \$350; and to purchase the records, manuscripts and documents illustrative of the early history of Vermont, known as the 'Stevens collection,' \$2,000."

A division of the question being called for,

The President put the question whether the Senate would agree to the first part of said motion, viz: "purchase of bust of Alexander Hamilton, &c.," and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Nichols	Pierce
Beach	Graham	Morris	Palmer	Tweed
Bradley	Hale	Murphy	Parker	Williams
Cauldwell	Hubbard			

17

FOR THE NEGATIVE.

Campbell	Crowley	Kennedy	Nicks	Stanford
Chapman	Edwards	Mattoon	O'Donnell	Van Petten
Creamer	Humphrey			

12

The President then put the question whether the Senate would agree to the second part of said motion, viz: "purchase of manuscripts and documents illustrating the early history of Vermont, known as the 'Stevens collection,' \$2,000," and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Murphy	Parker
Beach	Graham	Morgan	Nichols	Pierce
Bradley	Hale	Morris		

13

FOR THE NEGATIVE.

Campbell	Crowley	Humphrey	Nicks	Tweed
Chapman	Edwards	Kennedy	O'Donnell	Van Petten
Creamer	Folger	Mattoon	Stanford	Williams

15

Mr. O'Donnell, from the committee on finance, reported back said bill amended, as instructed by the Senate.

Mr. Graham moved to recommit said bill to the committee on finance, with instructions to amend as follows:

"For Benjamin W. Winner, sheriff of Sullivan county, for transporting a prisoner to Clinton prison, \$53."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cauldwell	Mattoon	Murphy	Pierce
Bradley	Graham	Morris	Nichols	Thayer

10

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Tweed
Chapman	Hale	Morgan	Parker	Van Petten
Creamer	Humphrey	Nicks	Stanford	Williams
Edwards				

16

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, May 5, 1869. }

To the Senate: I return, without my approval, Senate bill No. 207, entitled "An act to incorporate the Oswego Pier and Dock Company."

The bill incorporates twelve persons, named therein, and such others as may join them, as the Oswego Dock and Pier Company; the twelve incorporators named in the bill to be directors of the company until Jan'y, 1871.

It gives to this corporation power to "take any and all lands upon the shore, within fifty feet of high water mark, not now improved or occupied, and all under water adjoining the said shore that may be included within the breakwater built in the Lake, or along the shore," at an ap-

proved value, in the same way that the land might be taken for railroad purposes. This land so taken may be improved by "filling in, making slips, wharves, piers, warehouses, railroad tracks or such other improvements for commercial or manufacturing purposes as may be desired by the said company.

The territory within which the company is to operate is defined as "lands on the shore and under the waters of Lake Ontario, within the limits of said city of Oswego, outside the Government piers, which now protect and form the harbor of said city."

The entire water front of the city (except the limited portion between the present piers) is thus given up to the exclusive ownership of a private corporation, and apparently for its exclusive use. The extent of shore thus transferred from the present owners to this corporation is said to be at least two miles.

The purpose and object for which the company is created is nowhere expressly defined, nor in exchange for the great privileges conferred on it, nor any duties to the public enjoined upon it. The bill speaks of a "harbor hereby authorized," but it nowhere imposes upon the company the duty of constructing an artificial harbor, nor, in fact, any other duty.

The company, under the bill, may do almost any thing; but it is not required to do any thing. It may take lands on shore and under water, fill up, build piers, docks, wharves, warehouses, lay railroad tracks, or make "such other improvements for commercial or manufacturing purposes as may be desired by the said company;" but it is not required to give the use or benefit of these piers, wharves, docks, slips or other improvements to the use of the public on any terms. Upon this point the bill is silent.

The authorities of the city of Oswego are given no power nor control over the changes proposed in its water front; except that, when the improvements of the company come to be connected with the present harbor of Oswego, the connection is to be made "in such manner as the directors of the company shall determine best calculated to promote their interests, subject, however, to the approval of the same by the authorities of the city of Oswego."

If the real purpose of the company be the improvement of the harbor of Oswego for public use, that is a matter in which the city authorities or some public agent should have a controlling voice. If the object of the company be simply its own private gain, then the proposed transfer of the lands along the shore and under water from their present owners, without such owners' consent, to this company, would, according to judicial decisions, be taking private property, and not for public uses.

The charter granted to the company is perpetual, and is not subject to modification, amendment and repeal by the Legislature.

The bill would create a corporation clothed with extraordinary powers, no corresponding obligations being imposed on it, and subject to no future control by the Legislature.

JOHN T. HOFFMAN.

Mr. Mattoon moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Thayer moved to recommit the bill pending at the time the message of His Excellency the Governor was received to the committee on finance, with instructions to strike out all amendments made by the Senate in relation to inspection of steam boilers, and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Creamer	Mattoon	Pierce	Thayer	Tweed	
Genet	Palmer				7

FOR THE NEGATIVE.

Bradley	Folger	Humphrey	Murphy	Parker	
Campbell	Graham	Kennedy	Nichols	Stanford	
Chapman	Hale	Morgan	Nicks	Van Petten	
Crowley	Hubbard	Morris	O'Donnell	Williams	
Edwards					21

Mr. Thayer moved to recommit said bill to the committee on finance, with instructions to strike out all amendments made by the Senate except so far as they relate to the low water indicator.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Genet	Graham	Mattoon	Thayer	Tweed	5
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FOR THE NEGATIVE.

Bradley	Edwards	Kennedy	Nichols	Parker	
Campbell	Folger	Morgan	Nicks	Pierce	
Chapman	Hale	Morris	O'Donnell	Stanford	
Creamer	Hubbard	Murphy	Palmer	Williams	
Crowley	Humphrey				22

Mr. Parker moved to recommit said bill to the committee on finance, with instructions to insert the following amendment:

Add after the words "Henry A. Glidden, Assistant Clerk of the Senate," the following: "Tiras H. Ferris, Executive Clerk of the Senate," and report forthwith.

Mr. Stanford moved to amend, to recommit to the committee on finance, with instructions to amend relative to the Assistant Postmaster of the Senate.

The President put the question whether the Senate would agree to said motion of Mr. Stanford, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Hale	Parker	Stanford	
Creamer	Graham	Hubbard	Pierce	Tweed	
Edwards					11

FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Nichols	Palmer	
Chapman	Kennedy	Morris	Nicks	Thayer	
Crowley	Mattoon	Murphy	O'Donnell	Van Petten	
Folger					16

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nichols	Stanford	
Campbell	Genet	Mattoon	Palmer	Thayer	
Chapman	Graham	Morgan	Parker	Tweed	
Creamer	Hale	Morris	Pierce	Van Petten	20

FOR THE NEGATIVE.

Crowley	Humphrey	Murphy	Nicks	O'Donnell	7
Folger	Kennedy				

Mr. O'Donnell, from the committee on finance, reported back said bill amended, as instructed by the Senate.

Mr. Murphy moved to recommit said bill to the committee on finance, with instructions to report the following amendment:

"For the New York State Poultry Society, \$2,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morris	Palmer	Stanford	
Beach	Graham	Murphy	Parker	Tweed	
Campbell	Mattoon	Norton	Pierce	Van Petten	16
Creamer					

FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Nichols	Thayer	
Crowley	Hale	Kennedy	Nicks	Williams	
Edwards	Hubbard	Morgan	O'Donnell		14

Mr. Crowley moved to recommit said bill to the committee on finance, with instructions to report the same with the following amendment:

Line 245, printed bill:

"For the Library of the Eighth judicial district, for books published by Banks Brothers, \$397.25."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Morris	Pierce	
Bradley	Crowley	Mattoon	Murphy	Thayer	
Cauldwell	Genet	Morgan	Nichols	Tweed	17
Chapman	Graham				

FOR THE NEGATIVE.

Campbell	Hale	Nicks	Parker	Van Petten	
Edwards	Hubbard	O'Donnell	Stanford	Williams	
Folger	Humphrey	Palmer			13

Mr. O'Donnell, from the committee on finance, reported back said bill amended, as instructed by the Senate.

Mr. Morgan moved to recommit said bill to the committee on finance, with instructions to strike out the following paragraph:

"For the construction of a bridge over and across the Cattaraugus creek, at Upper Irving, on the Indian reservation, under direction of Charles H. Lee, Nehemiah Case and George W. Tew, \$10,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Parker	Van Petten	
Chapman					

FOR THE NEGATIVE.

Bank	Edwards	Mattoon	O'Donnell	Thayer	
Beach	Hubbard	Morris	Pierce	Tweed	

Cauldwell	Humphrey	Murphy	Stanford	Williams	18
Creamer	Kennedy	Nichols			

Mr. Thayer moved to recommit said bill to the committee on finance, with instructions to strike out all sections which repeal existing laws.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Thayer	Tweed	7
Creamer	Graham				

FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Nichols	Parker	
Campbell	Folger	Morgan	Nicks	Pierce	
Cauldwell	Hale	Morris	O'Donnell	Stanford	
Chapman	Hubbard	Murphy	Palmer	Van Petten	
Crowley	Humphrey				22

Mr. Stanford moved to recommit said bill to the committee on finance, with instructions to insert the following amendment :

"For the completion of the State Armory at Schenectady, \$10,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Creamer	Morgan	Stanford	Thayer	Tweed	7
Hale	Pierce				

FOR THE NEGATIVE.

Banks	Chapman	Genet	Morris	Parker	
Bradley	Crowley	Humphrey	Nichols	Van Petten	
Campbell	Edwards	Kennedy	Nicks	Williams	
Cauldwell	Folger	Mattoon	O'Donnell		19

Mr. Stanford moved to recommit said bill to the committee on finance, with instructions to amend the same as follows :

"For the completion of the Armory of Schenectady, \$8,000."

Mr. Morris moved to amend the motion by including also the following :

"Four thousand dollars to purchase arms and ammunition for the Dunkirk Armory."

The President put the question whether the Senate would agree to said motion of Mr. Morris, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Stanford, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Hale	Stanford	Tweed	Williams	7
Creamer	Pierce				

FOR THE NEGATIVE.

Banks	Edwards	Humphrey	Morris	O'Donnell	
Campbell	Folger	Kennedy	Nichols	Parker	
Chapman	Genet	Mattoon	Nicks	Van Petten	
Crowley					16

Mr. Bradley moved to recommit said bill to the committee on finance, with instructions to insert the following paragraph :

"To Edward Duffey, for original sanitary services for the benefit of

mankind, and the chemical prevention and spread of cholera and cattle plagues in the State of New York, \$1,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	O'Donnell	
Bradley	Edwards	Kennedy	Murphy	Palmer	
Campbell	Graham	Mattoon	Nichols	Parker	
Creamer	Hale	Morgan	Nicks	Pierce	20

FOR THE NEGATIVE.

Beach	Folger	Humphrey	Thayer	Van Petten	
Cauldwell	Genet	Stanford	Tweed	Williams	
Chapman					11

Mr. Parker moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Thayer	
Beach	Edwards	Morgan	O'Donnell	Tweed	
Bradley	Graham	Morris	Palmer	Van Petten	
Campbell	Hale	Murphy	Parker	Williams	
Cauldwell	Hubbard	Nichols	Pierce		24

FOR THE NEGATIVE.

Folger	Genet	Kennedy	Mattoon		4
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On motion of Mr. Tweed and by unanimous consent, said bill was amended by adding thereto the following paragraphs:

"For the county treasurer of Richmond county, for over payment into the State treasury on account of the State taxes of 1868, \$7,857.10.

"For the trustees of the State Library, for additional shelving in the law department, \$400, or so much thereof as may be necessary."

Said bill, as further amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Palmer	
Bradley	Edwards	Humphrey	Murphy	Parker	
Campbell	Genet	Kennedy	Nichols	Pierce	
Cauldwell	Graham	Mattoon	Nicks	Tweed	
Chapman	Hale	Morgan	O'Donnell	Williams	25

FOR THE NEGATIVE.

Beach	Folger	Stanford	Thayer	Van Petten	5
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Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Folger, the Senate took a recess until 5 o'clock P. M.

FIVE O'CLOCK, P. M.

The Senate again met.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for a town hall and library at Saratoga Springs," reported adversely thereto.

Mr. Stanford moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the election of a fifth justice of the peace in the town of Richland, in and for the county of Oswego, and for the future election of five justices of the peace in said town," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the collection of claims for taxes erroneously assessed or collected," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the eighth section of chapter 375 of the Laws of 1867, entitled 'An act for the more effectual prevention of cruelty to animals,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to produce uniformity in the presenting and protesting of commercial paper, and to amend the acts relative thereto," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 885 of the Laws of 1868, passed 20th August, 1868," reported, and asked to be discharged from the further consideration of said bill, and that the same be referred to the committee on municipal affairs, which report was agreed to.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the exemption from distress for rent and sale under execution," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release and convey the interest of the people of the State of New York in certain real estate in the city and county of New York, to Arthur Dougherty, William Dougherty, Catharine Dougherty and Mary Dougherty, heirs of Unatha Dougherty, de-

ceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to interest on judgments and for other purposes,' passed May 7, 1844," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the corporation of the city of New York to exchange with the United States certain lands in the City Hall park, in said city, and ceding jurisdiction thereof," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13th, 1847, passed April 7th, 1849," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to punish fraud in canvassing, counting or returning votes cast at elections," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the powers of boards of supervisors, except in the counties of New York and Kings," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York, of, in and to certain real estate of which John Bannon died seized, to Catharine Bannon, his widow," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act regulating appeals from surrogates' decrees or orders for payment of distribution of trust funds or moneys," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate Arcade Mutual Protection Association, at Arcade, Wyoming county, New York," reported adversely thereto.

Mr. Humphrey moved to disagree with the report of the committee, and to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Humphrey, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Crescent Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris dissented from said report, which dissent was ordered entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend 'An act fixing the fees of justices of the peace and constables, in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of married women," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a stenographic reporter for the circuit courts, courts of oyer and terminer, and special terms of the fifth judicial district,' passed February 25th, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of officers of the village of North Watertown, in the county of Jefferson, elected on the 2d day of March, 1869," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 7, title 6, chapter 1 of part 4 of the Revised Statutes, in regard to joint tenants and tenants in common," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale dissented from said report, and requested the same entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the sale of certificates of sale of lands for taxes held by the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 53 of title 4, chapter 6 of the second part of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 9, chapter 7, part 2, article 1 of the Revised Statutes, concerning fraudulent conveyances and contracts in relation to lands," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the due apportionment of taxes and assessments, and for the sale of real estate to pay the same,' passed April 12, 1855," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'German Saengerbund' of the city of Buffalo," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the 'Brooklyn Baptist Union,'" reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act changing the name of the First Methodist Episcopal Church of Port Jervis, New York, to the Drew Centennial Methodist Episcopal Church of Port Jervis, New York,'" reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend the Code of Procedure," reported in favor of the passage of the same with amendments.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act to provide for the appraisal and payment of damages sustained by Peter Phillips," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate 'The German Loan and Trust Company of Brooklyn,'" reported in favor

of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to prevent cheating by the use of fraudulent checks, drafts and orders," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the appointment of two stenographers and an interpreter to the Marine Court of the city of New York,' passed April 25, 1867," reported in favor of the passage of the same.

On motion of Mr. Creamer and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the board of supervisors of the county of Kings to equalize the salaries of the several judicial officers in said county," reported that they have made some amendments thereto, and amended the title by striking out "equalize" and inserting "fix," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act constituting the Sacandaga river and its tributaries a public highway, and for aid in improving the same," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, reported in favor of the adoption of the following resolution:

Resolved, That there be printed, under the order and direction of the Secretary of the State Agricultural Society, twenty copies of Fitch's report on Noxious Insects, and Carmalt's report on Abortion of Cows, for members of the Senate, officers and reporters.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to alter the map or plan of the city of New York, and to carry the alterations into effect," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Alden, in Erie county, New York," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to provide for raising money by the board of trustees of the village of Port Richmond, with which to improve the roads, avenues and streets in said village, and for other improvements in said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Port Byron,' passed March 28, 1855,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Fifth Avenue Savings Bank of New York," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the 'Brooklyn Baptist Union,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the 'German Saengerbund' of the city of Buffalo," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Watertown, county of Jefferson, to borrow money to repair the suspension bridge over Black river at Watertown," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways to construct bridges in the town of Ellisburgh, county of Jefferson, and to levy a tax for that purpose," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act in relation to the Mediterranean and Oriental Steam Navigation Company of New York," reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to legalize the acts of officers of the village of North Watertown, in the county of Jefferson, elected on the 2d day of March, 1869," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on public health and medical societies and colleges, to which was referred the bill entitled "An act in relation to the Eclectic Medical Dispensary of the city of Brooklyn," reported that

they have made some amendments thereto, and amended the title so as to read "An act in relation to the Brooklyn Eclectic Dispensary," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the 'Fifth Avenue Savings Bank' of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act in relation to sewerage in the city of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Watertown, county of Jefferson, to borrow money to repair the suspension bridge over Black river at Watertown," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the commissioners of highways to construct bridges in the town of Ellisburgh, county of Jefferson, and to levy tax for that purpose," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend and revise an act entitled 'An act to authorize the construction of a railroad from the village of Horseheads to the city of Elmira, in the county of Chemung, through the streets of the said village and city,' passed April 18, 1866," reported in favor of the passage of the same with an amendment, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus, Monroe and Wyoming, and to authorize the towns to subscribe to the capital stock thereof," reported in favor of the passage of the same with amendments.

On motion of Mr. Morris and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Alden, in Erie county, N. Y.," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker moved to take from the table the question of agreeing to the report of the committee on the judiciary adverse to the Assembly bill entitled "An act to legalize the assessment of the town of Clifton, in the county of St. Lawrence."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Parker moved to disagree with the report, and that the bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing and requiring the town of Olean, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act providing for the payment of awards by commissioners appointed under chapter 659, section 1st of Laws of 1868," was recommitted to the committee on finance, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to authorize the corporation of the city of New York to exchange with the United States certain lands in the City Hall park, in said city, and ceding jurisdiction thereto," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the appointment of two stenographers and an interpreter to the Marine Court of the city of New York,' passed April 25, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Beach dissented from the report of the committee on roads and bridges upon the Assembly bill entitled "An act to provide for opening West avenue in Long Island city, in Newtown, Queens county," and requested the same to be entered upon the journal.

Mr. Hale dissented from the report of the committee on the judiciary upon the following entitled Assembly bills, and requested the same entered upon the journal, to wit:

"An act in relation to the title to real estate derived by descent from aliens who shall die intestate."

"An act to amend chapter 513 of the Session Laws of 1868, entitled 'An act to confirm the title of certain persons to real estate questioned by reason of the alienism of former owners,' passed May 1, 1868."

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

Assembly, "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1846, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852."

Assembly, "An act relative to the Hudson Avenue Railroad Company in the city of Brooklyn."

Assembly, "An act in relation to evidence in criminal prosecutions, and in all proceedings in the nature of criminal proceedings."

Assembly, "An act to empower Poughkeepsie Lodge No. 21 of the Independent Order of Odd Fellows of the State of New York, in the city of Poughkeepsie and county of Dutchess, to hold and convey real and personal estate, and constitute the same a corporation."

Assembly, "An act to enable lodges and encampments of the Independent Order of Odd Fellows of Oneida county to take, hold and convey real and personal estate."

Assembly, "An act to extend Bedford avenue and Herkimer street, to widen Perry avenue, and to change the name thereof, and to close parts of adjoining streets and roads in the city of Brooklyn." •

Assembly, "An act to incorporate 'The German Loan and Trust Company of Brooklyn.'"

Assembly, "An act to authorize the board of supervisors of the county of Kings to equalize the salaries of the several judicial officers in said county."

Assembly, "An act to prevent nuisances near public schools."

Assembly, "An act to amend an act entitled 'An act to provide for the due apportionment of taxes and assessments, and for the sale of real estate to pay the same,' passed April 12, 1855."

Assembly, "An act to authorize the First Universalist Society of North Salem and vicinity, and the School Society of Ridgebury, to sell certain real estate."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be read a third time.

Mr. Murphy called for the consideration of the resolution heretofore offered by him, as follows:

Whereas, By an act entitled "An act to establish and protect national cemeteries," approved February 22, 1867, Congress has adopted a uniform system for the management and care of all the Soldiers' National Cemeteries throughout the United States, and made provisions for their maintenance; and whereas the State of Pennsylvania have, by an act approved the 14th of April, 1868, ceded and relinquished to the United States all its title to the grounds and property of the Soldiers' National Cemetery, at Gettysburgh, vested in it in trust for the States which participated in the establishment of said National Cemetery, of which States the State of New York was one; therefore,

Resolved, (if the Assembly concur,) That the State of New York hereby consents to and approves of the said cession by the State of Pennsylvania to the United States of the Soldiers' National Cemetery in Gettysburgh.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county," with a message that they had passed the same with the following amendments:

Section 1, lines 1 and 2, printed bill, strike out "Sarah O'Brien, the widow of Michael P. O'Brien, late" and insert "Joseph Egbert." Same section, line 6, strike out "her late husband" and insert "the late clerk." Add to the same section the following: "Subject to the condition hereinafter contained."

Section 2, line 7, strike out "Sarah O'Brien" and insert "Joseph Egbert." Line 8, same section, strike out "she" and insert "he." Add to section 2 the following: "Provided that said board of supervisors shall pay to Sarah O'Brien, the widow of Michael P. O'Brien, late clerk of said county, two-fifths of the whole sum which shall be allowed to the county clerk of said county, as compensation for said work to be done by said Joseph Egbert, as aforesaid; and it is hereby expressly enacted that said payment of two-fifths of the whole sum to said Sarah O'Brien, and

three-fifths thereof to said Joseph Egbert shall be accepted and received by said party in full of all claims on account of said work against the said county of Richmond."

Amend the title so as to read: "An act to authorize Joseph Egbert, county clerk of Richmond county, to complete the indices of records of said county, and for the relief of Sarah O'Brien."

Mr. Pierce moved that the Senate non-concur in the amendments and request a committee of conference, and appoint one on the part of the Senate.

The President put the question whether the Senate would agree to said motion of Mr. Pierce, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Pierce, Folger and Creamer.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and appointed a committee of conference, and request like committee on their part.

The Assembly returned the bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare," with a message that they had passed the same with the following amendments:

Insert as section 2 the following:

"§ 2. The Whitehall and Plattsburgh Railroad Company are hereby authorized and empowered to establish a railroad ferry across Lake Champlain at some point in the town of Crown Point or Ticonderoga, Essex county, and to run and maintain the same in connection with said road until said railroad company complete their road to Whitehall."

Add at the end of title the words: "and to establish a ferry."

Change section 2 to section 3.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Nicks	Pierce
Campbell	Hale	Morris	O'Donnell	Stanford
Cauldwell	Hubbard	Murphy	Palmer	Tweed
Chapman	Humphrey	Nichols	Parker	Williams
Edwards	Kennedy			

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

To the Senate and Assembly:

The committee to whom was referred the matter in difference between the two Houses on the bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the city of New York,' passed May 7, 1863," report that they have met in conference and have agreed to recommend the adoption of the following amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Section 6 of chapter 504 of the Laws of 1863 is hereby amended so as to read as follows:

§ 6. The general business and object of the corporation hereby created shall be to receive on deposit such sums of money as may be from time to time offered therefor, and to invest the same in the securities or stocks of this State, or of the United States, or in the stocks or bonds of any county or city, authorized to be issued by the Legislature of this State, or in such other manner as is authorized by this act for the use, interest and advantage of the said depositors, or their legal representatives; and the said corporation shall receive on deposit all sums of money which may be offered for the purpose of being invested as aforesaid, but not to exceed the sum of twenty-five thousand dollars from any individual, which shall, as soon as practicable, be invested according to the provisions of this act, and shall be repaid at such time and with such interest, and under such regulations as the board of trustees shall from time to time prescribe, which regulations shall be put up in some public and conspicuous place in the room where the business of said corporation shall be transacted, but shall not be altered so as to affect any deposit previously made. No president, vice-president, trustee, officer or servant of said corporation shall, directly or indirectly, borrow the funds of said corporation or its deposits, or in any manner use the same or any part thereof, except to pay necessary current expenses, under the direction of said board of trustees. All certificates or other evidences of deposits made by the proper officers of such corporation shall be as binding on such corporation as if they were made under its common seal. It shall be the duty of the trustees of the said corporation to regulate the rate of interest to be allowed to the general depositors, so that they shall receive as nearly as may be a ratable proportion of all the profits of the said corporation after deducting all necessary expenses, and said savings bank may allow and pay interest on any special deposit at such rate as may be agreed upon with any depositor, which rate shall not exceed the rate allowed and paid to its general depositors. No money deposited in the said bank shall be invested, except in the securities of stocks mentioned in this section; but by the consent and approbation of a majority of all the trustees present at a regular or special meeting, amounts to be approved by them, not exceeding thirty thousand dollars to any one individual, may be loaned on unincumbered productive real estate worth at least double the amount to be secured thereby. In all cases of loans upon real estate, a sufficient bond or other satisfactory personal security shall be required of the borrower, and all the expenses of searches, examinations and certificates of title, and of drawing, perfecting and recording papers, shall be paid by such borrower; and it shall be the duty of the trustees of said corporation to invest, as soon as practicable, in public stocks or public securities, or in bonds and mortgages, as provided for in this act, all sums received by them beyond an available fund of not exceeding one-third of the total amount of deposits which said trustees at their discretion may keep to meet the current payment of said corporation, and which may by them be kept on deposit on interest or otherwise, as the trustees may direct. Temporary deposits may be made in any of the incorporated banks or in any of the associations which are now or may hereafter be formed under the general banking law in the city of New York, or in any incorporated trust company in said city, and interest may be received thereon at such rates, not exceeding that allowed by law, as may be agreed upon. The said corporation is hereby authorized to accumulate an amount not exceeding twenty per cent on the amount of deposits therein to meet any contingency of loss in its business, which

amount shall be invested for the security of the depositors in said corporation, and thereafter, at such annual examination of the affairs of said corporation, any surplus over and above said sum shall, in addition to the usual interest, be divided ratably amongst the depositors in such manner as the board of trustees shall direct, and at their discretion the board of trustees may refrain from filling vacancies in the board which may arise from death, resignation or otherwise, until the whole number of trustees shall be reduced to fifteen.

All of which is respectfully submitted.

A. W. PALMER,
W. J. HUMPHREY,
Senate Committee.

LYMAN TRUMAN,
PETER MITCHELL,
A. McLEOD,
M. A. HULL,
L. D. KIERNAN,
Assembly Committee.

Dated May 1, 1869.

IN ASSEMBLY, May 4, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Pierce
Beach	Edwards	Kennedy	O'Donnell	Stanford
Campbell	Hale	Mattoon	Palmer	Thayer
Cauldwell	Hubbard	Morris	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act to amend chapter 350 of the Laws of 1862, being an act entitled 'An act authorizing the supervisor of the town of Hempstead, in Queens county, to call a special town meeting, to determine by ballot whether the public lands of said town called the Hempstead plains shall be sold or not,' passed April 19, 1862," with a message that they non-concur in the amendments of the Senate thereto.

Mr. Edwards moved that the Senate recede from said amendments.

Mr. Tweed moved that the Senate insist, and request a committee of conference.

The President put the question whether the Senate would agree to said motion of Mr. Tweed, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Kennedy	Tweed
Campbell	Creamer	Hubbard	Nicks	Williams
Cauldwell	Genet			

12

FOR THE NEGATIVE.

Edwards	Mattoon	Morris	Nichols	Thayer
Humphrey	Morgan	Murphy	Palmer	

9

The Assembly returned the bill entitled "An act to provide for the safe custody and care of insane criminals," with a message that they had passed the same with the following amendments :

After section 3, engrossed bill, insert the following as section 4 :

"§ 4. Section 6, chapter 171, Laws of 1836, providing that certain sentences to imprisonment in the State prison shall expire between March and November, is hereby repealed."

Change section 4 to section 5.

Amend the title by adding thereto the words: "And repealing certain provisions of law relating to the expirations of sentences."

Mr. Palmer moved that the Senate do non-concur in the amendments of the Assembly and that a committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion of Mr. Palmer, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Palmer, Williams and Graham.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

The Assembly returned the bill entitled "An act to amend 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," with a message that they do non-concur in the amendments of the Senate thereto.

Mr. O'Donnell moved that the Senate insist upon its amendments, and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

Mr. Banks moved to amend: "that the Senate recede from its amendments to said entitled bill."

A division of the question being called,

The President put the question whether the Senate would agree to recede from the first part of the amendment, viz: "Nothing in this act contained shall apply to Metropolitan Police district," and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Hale	Stanford	Tweed	5
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FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Nichols	Parker	
Cauldwell	Genet	Mattoon	Nicks	Pierce	
Chapman	Graham	Morgan	Norton	Thayer	
Creamer	Hubbard	Morris	O'Donnell	Van Petten	
Crowley	Humphrey	Murphy	Palmer	Williams	
Edwards					26

The President then put the question whether the Senate would agree to recede from the second part of said amendment, as follows: "All of the provisions of this act, as amended, shall be held to apply to the sale of ale or beer," and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Stanford	Tweed	Williams	6
Crowley					

FOR THE NEGATIVE.

Bradley	Edwards	Humphrey	Murphy	Palmer	
Campbell	Folger	Kennedy	Nichols	Parker	
Cauldwell	Genet	Mattoon	Nicks	Pierce	
Chapman	Graham	Morgan	Norton	Thayer	
Creamer	Hubbard	Morris	O'Donnell	Van Petten	25

The President then put the question whether the Senate would agree to recede from the third part of said amendment, as follows: "Except so much thereof as forbids the granting of license to any person except to such persons as propose to keep an inn, or tavern, or hotel, and the commissioners of excise may, in their discretion, grant license for the sale of ale or beer, for a sum not less than ten dollars, to other than those who propose to keep an inn, tavern or hotel; and the provisions of this act shall extend to all portions of the State except the Metropolitan Police district," and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Thayer	Williams	8
Crowley	Hale	Stanford			

FOR THE NEGATIVE.

Bradley	Edwards	Mattoon	Nicks	Parker	23
Campbell	Genet	Morgan	Norton	Pierce	
Cauldwell	Graham	Morris	O'Donnell	Tweed	
Chapman	Hubbard	Murphy	Palmer	Van Petten	
Creamer	Kennedy	Nichols			

The President then put the question whether the Senate would agree to said motion of Mr. O'Donnell "to insist upon amendments, and request a committee of conference," &c., and it was decided in the affirmative.

The President appointed as such committee, Messrs. O'Donnell, Banks and Mattoon.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist upon their amendments, and request a committee of conference.

Mr. Edwards moved to reconsider the vote insisting upon the amendments of the Senate to the Assembly bill entitled "An act to amend chapter 350 of the Laws of 1862, being an act entitled 'An act authorizing the supervisors of the town of Hempstead, in Queens county, to call a special town meeting to determine by ballot whether the public lands of said town, called the Hempstead Plains, shall be sold or not,' passed April 19, 1862."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Edwards moved that the Senate do recede from the amendments of the Assembly to said entitled bill.

The President put the question whether the Senate would agree to said motion to recede, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	26
Bradley	Folger	Kennedy	Nicks	Stanford	
Campbell	Graham	Mattoon	Norton	Thayer	
Cauldwell	Hale	Morgan	Palmer	Van Petten	
Chapman	Hubbard	Murphy	Parker	Williams	
Creamer					

FOR THE NEGATIVE.

Tweed	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have receded from its amendments.

The Assembly returned the bill entitled "An act to incorporate the Fidelity Safe Deposit Company of the city of New York," with a message that they had passed the same with the following amendments:

Section 3, lines 7 and 8, printed bill, strike out "corporations" and insert "persons." Same section, line 16, after "property" insert the following: "and may have power to collect coupons, interest and dividends on said above described securities." Same section, at end of line 18, strike out "and." Same section, strike out lines 19, 20, 21, 22, 23, 24 and 25.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Folger	Humphrey	Nicks	Thayer
Chapman	Genet	Kennedy	Palmer	Tweed
Creamer	Graham	Mattoon	Parker	Van Petten
Crowley	Hale	Morris	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof," with a message that they had passed the same with the following amendments:

Section 1, line 1, printed bill, strike out the word "said" and insert "the." Same line, after "village" insert "Montgomery."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Creamer	Hubbard	Nichols	Pierce	Van Petten
Crowley	Humphrey	Nicks	Stanford	Williams
Folger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862," pursuant to a resolution of the Senate.

By unanimous consent, Mr. Pierce moved to reconsider the vote agreeing to the report of the committee adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Pierce moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

Resolved, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor requesting him to return to the Assembly the Senate bill entitled "An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county," for the purpose of correcting an error in the message which accompanied the said bill.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and said resolution adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to repeal all provisions of law by which the real estate occupied by the New York Hospital of the city and county of New York was relieved from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," with a message that they consent to a committee of conference, and have appointed as such committee Messrs. Root, Truman, Doolittle, Bradstreet and Woltman.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act providing for the payment of awards by commissioners appointed under chapter 659, section 1st of the Laws of 1868," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend 'An act to incorporate the village of Charlotte, in the county of Monroe,' passed April 30, 1869," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Pierce
Beach	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Van Petten
Creamer	Graham	Mattoon	Parker	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nichols offered the following:

Resolved, That a respectful message be sent to the Assembly, requesting a return to the Senate of the Assembly bill entitled "An act to provide for the construction of an iron foot bridge across the Erie canal in the city of Utica, across Broadway street."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Murphy moved that the preferred calendar be made the special order to-morrow, immediately after the third reading of bills, and that at 2½ o'clock P. M., the Senate take a recess until 4 o'clock P. M., and that in committee of the whole debate be confined to a Senator speaking twice on each subject, and but five minutes at each time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hale offered the following:

Resolved, That the Clerk be directed to furnish each reporter of the Senate, who has not had them, one set of the journal and debates of the State Constitutional Convention.

Mr. Folger moved to refer said resolution to the committee on public printing.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Mattoon offered the following:

Resolved, That a respectful message be sent to the Assembly asking them to return to the Senate the Assembly bill entitled "An act for the payment of Charles A. Donalds for the construction of a dam across the Mohawk river, at Rexford Flats."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Nicks	Thayer
Beach	Graham	Morris	Norton	Tweed
Cauldwell	Hubbard	Murphy	O'Donnell	Van Petten
Chapman	Kennedy	Nichols	Palmer	Williams
Creamer	Mattoon			

22

FOR THE NEGATIVE.

Crowley	Folger	Hale	Parker	Stanford
Edwards				

6

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend 'An act to incorporate the Harlem River and Port Chester Railroad Company,'" was recommitted to the committee on railroads, with power to report complete.

Mr. Cauldwell offered the following:

Resolved, That a respectful message be sent to the Assembly requesting the return of the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Williams and by unanimous consent the rules were

suspended, and the Assembly bill entitled "An act to authorize the reopening of old, and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal," was recommitted to the committee on canals, with power to report complete.

On motion of Mr. Folger and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of an iron bridge over Cayuga and Seneca canal, in the village of Seneca Falls,' passed May 6, 1868, and to secure the north branch of said canal," was recommitted to the committee on canals, with power to report complete.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open and improve Twenty-fifth street, in said city," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Chapman moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

By unanimous consent, Mr. Folger moved that the Senate hold an executive session to-morrow at 12 o'clock m., for confirmation of notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Edwards offered the following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of the Assembly bill entitled "An act to incorporate the Medora Hook and Ladder Company No. 3, of Port Richmond, Richmond county."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nicks, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls,' passed May 6, 1868, and to secure the north bank of said canal," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," with a message that they had non-concurred in the amendments of the Senate thereto, and appointed a committee of conference thereon, consisting of Messrs. Selkreg, Barse, Truman, Root, Husted, Hitchman and Lyon, and request a like committee on the part of the Senate.

Mr. O'Donnell moved that the Senate appoint a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. O'Donnell, Folger and Nichols were appointed as such committee.

Mr. Parker offered the following:

Resolved, That all bills making appropriations for improving rivers,

for bridges, for canal claims, and general canal appropriations, be made the special order to-morrow after the special order already ordered.

Mr. Hale moved that they be made the special order immediately.

Mr. Hubbard moved to amend by including also the Assembly bill entitled "An act to amend the laws relative to banking, and to grant facilities to associations for establishing banks equal to those afforded by the National currency act."

The President put the question whether the Senate would agree to said motion of Mr. Hubbard, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Norton moved to amend the resolution of Mr. Parker, as follows: That the committee on the judiciary of the Senate be discharged from the further consideration of the bill entitled "An act to authorize mechanics, journeymen, tradesmen and laborers to form societies and associations for their mutual aid, benefit and protection," and that the same be referred to the committee of the whole, and included in the special order.

The President put the question whether the Senate would agree to said motion of Mr. Norton, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President then put the question whether the Senate would agree to the amendment of Mr. Hale, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution of Mr. Parker, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special orders, being the bills entitled as follows:

Assembly, "An act to repair the State works on the west branch of the Oswegatchie river, to improve the navigation thereof and the hydraulic power connected therewith."

Assembly, "An act for the improvement of the navigation of the Boquet river."

Assembly, "An act in relation to the reconstruction of a dam on the Seneca river, at Baldwinsville, for canal purposes."

Assembly, "An act in relation to the bridges over Black river at Beach's and Hollingworth's landings, and the roads leading thereto."

"An act making an appropriation to pay the expense of repairing the breaks and breaches in the eastern division of the State canals, and to restore navigation thereon."

Assembly, "An act to authorize the Canal Commissioners to construct a farm bridge over the Erie canal on the farm of Arsino B. Warner, in the town of Greece, county of Monroe."

Assembly, "An act to authorize the draining of certain lands in the town of Murray, in the county of Orleans, caused to overflow by the Erie canal."

Assembly, "An act constituting the Sacandaga river and its tributaries a public highway, and for aid in improving the same."

Assembly, "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1869."

Assembly, "An act to amend the laws relative to banking, and to grant facilities to associations for establishing banks equal to those afforded by the National currency act."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported in favor of the passage of the 1st, 2d and 4th named bills with amendments, which report was agreed to and said bills ordered to a third reading.

Mr. Crowley, from the same committee, reported in favor of the passage of the 3d, 6th, 7th and 8th named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Crowley, from the same committee, reported in favor of the passage of the 5th named bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the same committee, reported progress on the 9th named bill, and asked and obtained leave to sit again.

Mr. Crowley, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Hubbard moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion of Mr. Hubbard, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Hubbard	Morris	Murphy	Williams	5
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FOR THE NEGATIVE.

Campbell	Crowley	Hale	Nichols	Parker	
Cauldwell	Folger	Kennedy	O'Donnell	Stanford	
Chapman	Genet	Morgan	Palmer	Van Petten	15

The President then put the question whether the Senate would agree to grant leave to sit again, and it was decided in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to create 'The Manhattan Eye and Ear Hospital,' in the city of New York."

"An act to amend an act entitled 'An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county,' passed May 19, 1868."

"An act in relation to taxes and assessments in the city of New York, and the office of commissioners of taxes and assessments for the city and county of New York."

"An act to authorize the erection and maintenance of an observatory in the city of New York."

"An act to authorize the Canal Appraisers to hear claims of owners of property on the Black river for damages caused by the escape of the water of North Lake reservoir, in April, 1869."

"An act to amend chapter 278 of the Laws of 1868, entitled 'An act in relation to the Erie, New York Central, Hudson River and Harlem Railway Companies.'"

"An act to amend chapter 206 of the laws of 1863, entitled 'An act in relation to evidence.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bill entitled as follows:

"An act for the relief of John C. Blaisdell, Harden Bailey and others,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The Assembly returned the Assembly bill entitled "An act in relation to the contract of Myron H. Mills on the Genesee Valley canal and the work connected therewith," with a message that they had concurred in the amendment made thereto by the Senate.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

An act to provide for the appraisal and payment of damages to Enoch B. Armstrong, Henry Patrick and others, alleged to have been caused by the discharge of water from the Erie canal."

"An act to authorize and allow all persons who sustained damages to their property, situated on the pier, in the city of Albany, by reason of the freshet which occurred in the Hudson river in the month of January last, to bring their actions for such damages against said city in the name of the people of the State of New York, upon the bond executed by said city to the people, dated the 21st day of April, 1866."

"An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866, passed May 6, 1868."

The Assembly also returned the following entitled bills:

"An act for the relief of Lewis Meeker and George L. Dudley."

"An act to amend the charter of the village of Boonville, in the county of Oneida."

"An act to incorporate the village of Green Island, and for other purposes."

"An act to incorporate the Real Estate Assurance Company of the city of New York."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Murphy, the Senate adjourned.

THURSDAY, MAY 6, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

On motion of Mr. Tweed and by unanimous consent the rules were suspended, and the bill entitled "An act to incorporate the National Institute of Letters, Arts and Sciences," was recommitted to the committee on literature, with power to report complete.

Mr. Mattoon stated his dissent from the report of the committee on commerce and navigation upon the Assembly bill entitled "An act in relation to the Mediterranean and Oriental Steam Navigation Company of the city of New York," and requested the same entered upon the journal, and it was so ordered.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Brooklyn Baptist Union," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Palmer	Thayer
Campbell	Hubbard	Morgan	Parker	Van Petten
Cauldwell	Humphrey	Morris	Pierce	Williams
Edwards	Kennedy	Nichols	Stanford	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the German Saengerbund of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	Palmer	Thayer
Campbell	Folger	Morgan	Parker	Van Petten
Cauldwell	Genet	Morris	Pierce	Williams
Creamer	Graham	Nichols		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to the Hudson Avenue Railroad Company, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Palmer	Thayer
Campbell	Graham	Morgan	Parker	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Crowley	Humphrey	Nichols	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to a stenographic reporter for the circuit courts, courts of oyer and terminer and special terms of the fifth judicial district,' passed February 25, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	O'Donnell	Stanford
Campbell	Hubbard	Morris	Palmer	Thayer
Cauldwell	Humphrey	Nichols	Parker	Van Petten

Crowley	Kennedy	Nicks	Pierce	Williams	21
Edwards					

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal in the village of Seneca Falls,' passed May 6, 1868, and to secure the north bank of said canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Palmer	Thayer	
Bradley	Folger	Morris	Parker	Tweed	
Campbell	Graham	Nichols	Pierce	Van Petten	
Cauldwell	Hubbard	Nicks	Stanford	Williams	23
Chapman	Kennedy	O'Donnell			

FOR THE NEGATIVE.

Morgan	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the improvement of the navigation of the Boquet river."

"An act making an appropriation to pay the expenses of repairing the breaks and breaches in the eastern division of the State canals, and to restore navigation thereon."

Also, as correctly re-engrossed:

"An act to incorporate 'The Fidelity Safe Deposit Company of the city of New York.'"

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

The Assembly bill entitled "An act in relation to the reconstruction of a dam on the Seneca river at Baldwinsville, for canal purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer	
Beach	Folger	Mattoon	Palmer	Tweed	
Campbell	Graham	Morgan	Parker	Van Petten	
Cauldwell	Hubbard	Morris	Pierce	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repair the State works on the west branch of the Oswegatchie river, to improve the navigation thereof, and the hydraulic power connected therewith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Creamer	Hubbard	O'Donnell	Stanford	Williams
Crowley	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to evidence in criminal prosecutions, and in all proceedings in the nature of criminal proceedings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Tweed
Bradley	Graham	Morgan	Parker	Van Petten
Cauldwell	Hubbard	Morris	Stanford	Williams
Crowley	Kennedy	O'Donnell		

18

FOR THE NEGATIVE.

Folger	Nichols	Thayer		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Fifth Avenue Savings Bank in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Stanford
Bradley	Crowley	Hubbard	Palmer	Thayer
Campbell	Edwards	Kennedy	Parker	Van Petten
Cauldwell	Graham	Mattoon	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend Bedford avenue and Herkimer street, to widen Perry avenue, and to change the name thereof, and to close parts of adjoining streets and roads in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Palmer	Thayer
Bradley	Edwards	Kennedy	Parker	Tweed
Campbell	Folger	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Murphy	Stanford	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley moved that the committee on municipal affairs be discharged from the further consideration of the Assembly bill entitled "An act to regulate the sale and power of illuminating gas in the city of New York," and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate 'The Harlem River and Port Chester Railroad Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus, Monroe and Wyoming, and to authorize the towns therein to subscribe to the capital stock thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to enable lodges and encampments of the Independent Order of Odd Fellows of Oneida county to take, hold and convey real and personal estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Nichols	Tweed
Beach	Creamer	Kennedy	Parker	Van Petten
Bradley	Edwards	Mattoon	Pierce	Williams
Campbell	Graham	Morgan		
				18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1846, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Murphy	Stanford
Beach	Creamer	Kennedy	Nichols	Thayer
Bradley	Edwards	Mattoon	Palmer	Van Petten
Campbell	Graham	Morris	Parker	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Erie canal on the farm of Arsino B. Warner, in the town of Greece, county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Nichols	Tweed
Beach	Edwards	Mattoon	Parker	Van Petten
Bradley	Graham	Morgan	Stanford	Williams
Campbell	Hubbard	Morris	Thayer	

19

FOR THE NEGATIVE.

Nicks

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to sewerage in the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Hale	Mattoon	Nicks	Thayer
Campbell	Hubbard	Morgan	O'Donnell	Van Petten
Cauldwell	Humphrey	Morris	Parker	Williams
Creamer				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 6 of chapter 70 of the Laws of 1845, as amended by section 4, chapter 259 of the Laws of 1851, relating to Clinton prison," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Thayer
Beach	Edwards	Kennedy	Nichols	Van Petten

Campbell	Graham	Mattoon	Nicks	Williams	
Cauldwell	Hale	Morgan			18

FOR THE NEGATIVE.

O'Donnell	Parker	Stanford			3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the bridges over Black river at Beach's and Illingworth's landings, and the roads leading thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Pierce	
Bradley	Crowley	Hubbard	O'Donnell	Stanford	
Campbell	Edwards	Kennedy	Palmer	Van Petten	
Cauldwell	Graham	Mattoon	Parker	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to empower Poughkeepsie Lodge No. 21 of the Independent Order of Odd Fellows of the State of New York, in the city of Poughkeepsie and county of Dutchess, to hold and convey real and personal estate, and constitute the same a corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	O'Donnell]	Stanford	
Beach	Edwards	Mattoon	Palmer	Thayer	
Bradley	Graham	Morris	Parker	Van Petten	
Campbell	Hubbard	Nicks	Pierce	Williams	
Cauldwell					21

FOR THE NEGATIVE.

Hale					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the draining of certain lands in the town of Murray, in the county of Orleans, caused to overflow by the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Palmer	Thayer

Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Creamer	Hubbard			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for the payment of awards by the commissioners appointed under chapter 659, section 1st of the Laws of 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Parker
Bradley	Crowley	Hubbard	Nicks	Thayer
Campbell	Edwards	Kennedy	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer moved to take from the table the motion to reconsider the vote by which the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Samaritan Home for the aged of the city of New York,' passed March 23, 1867," was lost.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Graham	Mattoon	Palmer	Van Petten
Campbell	Hale	Morgan	Parker	Williams
Cauldwell	Hubbard			17

Said bill was again read a third time.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Norton	Van Petten
Cauldwell	Hale	Morgan	Palmer	Williams
Creamer	Hubbard	Murphy	Stanford	19

FOR THE NEGATIVE.

Crowley	Parker	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the appointment of two stenographers and an interpreter to

the Marine Court of the city of New York,' passed April 25, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill; and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Stanford
Cauldwell	Graham	Mattoon	Palmer	Tweed
Creamer	Hale	Morgan	Parker	Van Petten
Crowley	Hubbard	Morris	Pierce	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to alter the map or plan of the city of New York, and to carry the alteration into effect," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Palmer	Tweed
Bradley	Graham	Mattoon	Parker	Van Petten
Cauldwell	Hubbard	Nicks	Pierce	Williams
Creamer	Humphrey	Norton	Stanford	
				19

FOR THE NEGATIVE.

O'Donnell	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for raising money by the board of trustees of the village of Port Richmond with which to improve the roads, avenues and streets in said village, and for other improvements in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Campbell	Graham	Mattoon	Norton	Stanford
Cauldwell	Hubbard	Morgan	Palmer	Van Petten
Creamer	Humphrey	Nichols	Parker	Williams
Crowley				
				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the corporation of the city of New York to exchange with the United States certain lands in the City Hall park in said city, and ceding jurisdiction thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Palmer	Thayer
Beach	Graham	Nichols	Parker	Tweed
Campbell	Humphrey	Nicks	Pierce	Van Petten
Cauldwell	Kennedy	Norton	Stanford	Williams
Crowley	Mattoon			

22

FOR THE NEGATIVE.

Creamer 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Alden, in Erie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	O'Donnell	Thayer
Beach	Graham	Morris	Palmer	Tweed
Campbell	Humphrey	Nichols	Parker	Van Petten
Cauldwell	Kennedy	Nicks	Stanford	Williams
Crowley	Mattoon			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Port Byron,' passed March 28, 1855,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Palmer	Thayer
Beach	Graham	Morgan	Parker	Tweed
Bradley	Hubbard	Morris	Pierce	Van Petten
Campbell	Humphrey	Nicks	Stanford	Williams
Cauldwell	Kennedy			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the commissioners of highways to construct bridges in the town of Ellisburgh, county of Jefferson, and to levy tax for that purpose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Mattoon	Nicks	Stanford
Bradley	Edwards	Morgan	O'Donnell	Tweed
Campbell	Humphrey	Morris	Parker	Van Petten
Cauldwell	Kennedy	Nichols	Morris	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Watertown, county of Jefferson, to borrow money to repair the suspension bridge over Black river, at Watertown," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Norton	Thayer
Beach	Edwards	Mattoon	O'Donnell	Tweed
Bradley	Graham	Morgan	Parker	Van Petten
Campbell	Hubbard	Nichols	Stanford	Williams
Cauldwell	Humphrey	Nicks		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act constituting the Sacandaga river and its tributaries a public highway, and for aid in improving the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Morgan	Stanford
Campbell	Crowley	Hale	Morris	Thayer
Cauldwell	Edwards	Hubbard	Nicks	Tweed
Chapman	Folger	Humphrey	Parker	Van Petten 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the acts of officers of the village of North Watertown, in the county of Jefferson, elected on the 2d day of March, 1869," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	Nicks	Pierce
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Folger	Mattoon	O'Donnell	Thayer

Cauldwell	Graham	Morgan	Palmer	Van Petten	22
Chapman	Hale	Morris			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the improvement of the navigation of the Boquet river." was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morgan	Parker	
Campbell	Folger	Humphrey	Nicks	Stanford	
Cauldwell	Graham	Kennedy	O'Donnell	Thayer	
Chapman	Hale	Mattoon	Palmer	Van Petten	
Creamer					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay the expense of repairing the breaks and breaches in the eastern division of the State canals, and to restore navigation thereon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Parker	
Beach	Edwards	Humphrey	Nicks	Stanford	
Campbell	Graham	Mattoon	O'Donnell	Thayer	
Cauldwell	Hale	Morris	Palmer	Van Petten	
Chapman					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Harlem River and Port Chester Railroad Company,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Thayer	
Beach	Edwards	Humphrey	Nichols	Tweed	
Campbell	Genet	Mattoon	Palmer	Van Petten	
Cauldwell	Hale	Morgan	Stanford	Williams	
Chapman					21

FOR THE NEGATIVE.

Crowley	Folger	Graham	O'Donnell	Parker	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus, Monroe and Wyoming, and to authorize the towns therein to subscribe to the capital stock thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Stanford
Campbell	Graham	Morris	Parker	Tweed
Cauldwell	Hubbard	Norton	Pierce	Van Petten
Creamer	Humphrey	O'Donnell		

18

FOR THE NEGATIVE.

Folger	Kennedy			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the board of supervisors of the county of Kings to equalize the salaries of the several judicial officers in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Norton	Pierce
Cauldwell	Hubbard	Morgan	O'Donnell	Stanford
Creamer	Humphrey	Morris	Palmer	Tweed
Edwards	Kennedy	Murphy	Parker	Van Petten

20

FOR THE NEGATIVE.

Folger				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate 'The German Loan and Trust Company of Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Parker	Thayer
Cauldwell	Graham	Mattoon	Pierce	Van Petten
Creamer	Hubbard	Morgan	Stanford	Williams
Crowley	Humphrey	Norton		

18

FOR THE NEGATIVE.

Chapman	Folger	Palmer		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The hour of 12 o'clock having arrived, the Senate pursuant to resolution went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

By unanimous consent, Mr. Palmer offered the following:

Resolved, (if the Assembly concur,) That ten copies of the annual report of the Transactions of the American Institute for 1868 be printed for each member, officer and reporter of the Legislature, one thousand copies for the Institute, ten copies for each county society in counties electing one member of Assembly, and a proportionate number in counties electing more than one member, ten copies for each town or union agricultural society, and twenty-five copies for the Regents of the University for exchanges, and that said report be bound the same as last year, and be distributed without delay.

Ordered, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills upon the preferred calendar.

After some time spent therein, the hour of 2½ o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The Senate again met.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and the bill entitled "An act to regulate and fix the salaries of certain members of the Capital Police force, and to provide for the payment thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Campbell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therein," was recommitted to the committee on railroads, with power to report complete.

Mr. Bradley presented a memorial of citizens of New York, remonstrating against the bill in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street in said city, and to alter the map or plan of said city, which was read and referred to the committee of the whole.

On motion of Mr. Stanford and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Stanford and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the Crescent Company," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Hale, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend the Code of Pro-

cedure," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Stanford, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to authorize the reopening of old and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the journal and debates of the late Constitutional Convention, reported in favor of the adoption of the following resolution:

Resolved, That the Clerk be directed to furnish each reporter of the Senate, who has not already received them, one set of the journal and debates of the late Constitutional Convention.

Mr. Folger moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was recommitted the bill entitled "An act to incorporate the National Institute of Arts and Sciences," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker moved to take from the table the question of reconsidering the vote agreeing to the report of the committee of conference upon the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Mr. Parker moved that a new committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the report of committee of conference, and appointed a new committee, and request a like committee on their part.

The Senate again resolved itself into a committee of the whole, and resumed the consideration of the special order pending at the hour of recess, being the bills entitled as follows:

"An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 17, 1868."

Assembly, "An act to authorize the New York Railroad Company to construct certain railroads in the city and county of New York, and across Harlem river."

"An act to authorize the removal of the dead from the Congregational Church burying ground in the village of Middletown, in the county of Orange."

After some time spent therein the President resumed the chair, and

Mr. Tweed, from said committee, reported in favor of the passage of the first named bill, with amendments.

The President put the question whether the Senate would agree to the report of the committee of the whole upon said entitled bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Nicks	Thayer	
Campbell	Hale	Morgan	O'Donnell	Tweed	
Cauldwell	Hubbard	Murphy	Pierce	Van Petten	
Folger	Humphrey	Nichols	Stanford	Williams	20

FOR THE NEGATIVE.

Banks	Bradley	Crowley	Edwards	Mattoon	5
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Ordered, That said bill be engrossed for a third reading.

Mr. Tweed, from the same committee, reported in favor of the passage of the second named bill, with amendments.

The President put the question whether the Senate would agree to the report of the committee of the whole upon said entitled bill, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Stanford	Van Petten	
Beach	Humphrey	Nicks	Thayer	Williams	
Cauldwell	Mattoon	Pierce	Tweed		14

FOR THE NEGATIVE.

Bradley	Crowley	Folger	Kennedy	Nichols	
Campbell	Edwards	Hale	Murphy	O'Donnell	10

Ordered, That said bill be read a third time.

Mr. Tweed, from the same committee, reported in favor of the passage of the last named bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole upon said entitled bill, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Palmer	Thayer	
Edwards	Humphrey	Morgan	Stanford	Van Petten	
Graham					11

FOR THE NEGATIVE.

Banks	Folger	Morris	Nicks	Tweed	
Bradley	Genet	Nichols	Norton	Williams	
Crowley					11

By unanimous consent, Mr. Pierce offered the following :

Resolved, That the committee on municipal affairs be discharged from the further consideration of the Assembly bill entitled "An act to amend the charter of the city of Brooklyn," and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

On motion of Mr. Norton and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the completion of the Wallabout Improve-

ment of the city of Brooklyn,' passed March 28, 1868," was recommitted to the committee on municipal affairs, with power to report complete.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to authorize John G. Henry, of Clarkson, in the county of Monroe, to remove from his farm in said town of Clarkson the remains of all dead bodies buried thereon."

"An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14th, 1866, and to appropriate the moneys received under this act."

"An act for the relief of the Brooklyn and Winfield Railway Company."

After some time spent therein the President resumed the chair, and Mr. Hale, from said committee, reported progress on the first named bill, and asked leave to sit again.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the negative, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Hale, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Creamer moved to make said bill the special order to-morrow at 5 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Hale, from the same committee, reported in favor of the passage of the last named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten moved to reconsider the vote disagreeing to the report of the committee of the whole upon the bill entitled "An act for the relief of John F. Hosch, assignee of Samuel F. Case."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Norton	Tweed
Beach	Graham	Mattoon	O'Donnell	Van Petten
Campbell	Hubbard	Murphy	Pierce	Williams
Cauldwell				

16

FOR THE NEGATIVE.

Chapman	Folger	Morris	Palmer	Stanford
Crowley	Hale	Nicks	Parker	Thayer
Edwards	Morgan			

12

The President then put the question whether the Senate would agree to the motion to disagree with the report of the committee of the whole, and order said bill to a third reading, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Norton	Van Petten
Beach	Genet	Mattoon	O'Donnell	Williams
Bradley	Graham	Murphy	Tweed	

14

FOR THE NEGATIVE.

Campbell	Edwards	Humphrey	Morris	Parker	15
Chapman	Folger	Kennedy	Nicks	Stanford	
Crowley	Hale	Morgan	Palmer	Thayer	

Mr. Genet moved that the present special order, and all orders of business down to reports of committees, be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Genet	Mattoon	Norton			3
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FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford	20
Beach	Edwards	Humphrey	Nichols	Thayer	
Campbell	Folger	Morgan	Nicks	Van Petten	
Cresmer	Graham	Morris	Palmer	Williams	

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

Assembly, "An act to authorize the extension of tracks of the Dry Dock, East Broadway and Battery Railroad Company in the city of New York."

"An act to amend chapter 380 of the Laws of 1859, entitled 'An act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting,' passed April 15, 1859, and chapter 740 of the Laws of 1865, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage,' passed May 13, 1865."

Assembly, "An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city."

After some time spent therein the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the first and last named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Hubbard, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Folger moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed for a third reading.

Mr. Murphy moved that said bill be recommitted to the committee, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy	Norton	12
Bradley	Genet	Morris	Nichols	Tweed	
Cauldwell	Graham				

FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Palmer	Van Petten	14
Crowley	Kennedy	Nicks	Parker	Williams	
Folger	Mattoon	O'Donnell	Stanford		

The President then put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morgan	Palmer	Van Petten
Crowley	Kennedy	Nicks	Parker	Williams
Folger	Mattoon	O'Donnell	Stanford	14

FOR THE NEGATIVE.

Beach	Edwards	Hubbard	Murphy	Norton
Bradley	Genet	Morris	Nichols	Tweed
Cauldwell	Graham			12

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to provide for opening West avenue in Long Island city, in Newtown, Queens county."

"An act to authorize the 'South Side Railroad Company of Long Island' to build one or more branches from its main track to Newtown creek, and to operate its road with an improved steam dummy, within the city of Brooklyn."

"An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

After some time spent therein the President resumed the chair, and Mr. Palmer, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Stanford moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Edwards moved that the further consideration of the bill be postponed until the 4th day of July next.

The President put the question whether the Senate would agree to said motion of Mr. Edwards, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Genet	Mattoon	Norton	Tweed
Campbell	Graham	Morris	Palmer	Van Petten
Cauldwell				21

FOR THE NEGATIVE.

Chapman	Hale	Morgan	O'Donnell	Stanford
Crowley	Kennedy	Nicks	Parker	Williams
Folger				11

Mr. Palmer, from the same committee, reported in favor of the passage of the second named bill, with amendments.

Mr. Thayer moved to recommit said bill to the committee on railroads.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Campbell	Norton	Thayer	Tweed
				5

FOR THE NEGATIVE.

Banks	Creamer	Graham	Mattoon	Palmer
Beach	Crowley	Hubbard	Morgan	Pierce

Cauldwell	Edwards	Humphrey	Murphy	Van Petten	
Chapman	Folger	Kennedy	Nicks	Williams	20

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Palmer, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

A message from the Assembly was received and read, in the words following:

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," with a message that they had agreed to the report of the committee of conference, in the words following:

To the Senate and Assembly:

The committee to which was referred the matters in difference between the two Houses on the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads," having met have agreed to recommend that the Assembly concur in the amendment striking out in last line of section 1, engrossed bill, the word "county" and inserting "counties" in lieu thereof; and adding at the end of section 1, the words, "Kings, Erie, Greene, Albany, Westchester, Ontario, Seneca, Yates, Onondaga and Niagara." And also adding after the word "Niagara," the words, "and nothing herein contained shall be construed as permitting the town of Ausable, in the county of Clinton, to issue bonds to aid in the construction of any railroad under any assessment roll prior to that of the year 1869."

And that the Senate recede from their amendment proposing a new section as "section 10."

All of which is respectfully submitted.

M. HALE,
J. F. HUBBARD, Jr.,
JAMES F. PIERCE,
Senate Committee.

SAMUEL ROOT,
R. DOOLITTLE,
LYMAN TRUMAN,
HENRY WOLTMAN,
Assembly Committee.

Dated May 6, 1869.

IN ASSEMBLY, May 6, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Norton	Stanford	
Cauldwell	Graham	Mattoon	Palmer	Tweed	
Chapman	Hale	Morris	Parker	Van Petten	
Folger	Hubbard	Nicks	Pierce	Williams	20

FOR THE NEGATIVE.

Bradley

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act in relation to the Board of State Commissioners of Public Charities," with a message that they had passed the same with the following amendments:

Strike out section 2, and insert in lieu thereof the following:

"§ 2. If in the opinion of the said board, or any committee thereof, or of the president of the board, any matter or thing in the affairs or management of any asylum, penitentiary, poor-house, or other institution subject to the visitation of the board, shall render it expedient to do so, notice may be given by the board or any of its officers to the county judge or to the district attorney of the county in which such institution may be located, or to any officer or officers responsible for the management of such institution, or to either or all of them, of any violation or willful neglect or omission of duty, or of anything objectionable or deficient in the opinion of the board in the affairs, conduct and management of any such institution, and it shall be the duty of such officer, to whom such notice may be given, thereupon to take such proceedings in the premises as he may deem the facts and the public interest to require.

Strike out section 5, and insert in lieu thereof the following:

"§ 5. The said commissioners or any of them are hereby authorized, for the purposes mentioned in this act, whenever and as often as they may deem proper so to do, to visit and inspect all the charitable and correctional institutions of the State (excepting State prisons and jails), whether receiving State aid or maintained by counties or municipalities, or otherwise; and all municipalities, or otherwise, and all incorporated charitable or eleemosynary institutions, whether maintained by the public or by private benefaction or otherwise; and also on the request in writing of any judge of any court of record, mayor or recorder of any city, or any district attorney, any so-called private asylums, homes, retreats or other enlistments for curative or other purposes, whether the parties therein are or are not held in bodily restraint, and report annually to the Legislature with such views and recommendations as they may deem proper.

Insert as section 6, the following:

"§ 6. The said board shall hereafter be known and designated as the 'State Board of Charities.'"

Change section 6 to section 7.

Amend the title so as to read, "An act in relation to the Board of State Commissioners of Public Charities," and to change the name of the same.

Mr. Chapman moved that the Senate non-concur in said amendments, and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion of Mr. Chapman, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

The Senate again resolved itself into a committee of the whole, and

proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act for the removal of the wall benches in the Erie canal in the city of Utica, and for the construction of a vertical wall."

After some time spent therein the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of said named bill without amendment, which report was agreed to and said bill ordered to a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend section 9 of chapter 362 of the Laws of 1863, entitled 'An act in relation to proceedings in surrogates' courts, and to the fees of surrogates, and the compensation of executors and administrators, and to a clerk for surrogates,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate the salaries of the supervisors of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a work-house for said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend article 2 of title 2 of chapter 1 of part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Pacific Savings Bank, to be located in the Third ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to confirm the official acts of the boards of supervisors of the counties of Westchester and New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Syracuse and certain towns of the counties of Onondaga and Oswego to issue bonds and take stock in the Syracuse and North Western Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to regulate the sale of tickets for admission to theatrical, dramatic, operatic and other public amusements and entertainments in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to provide for the construction of a bridge over the feeder of the Chemung canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the Staten Island Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Ulster County Real Estate and Public House Company," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' passed July 18, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide ways and means for support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to provide for the construction of an iron bridge over the Genesee Valley canal in the village of Fillmore, Allegany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of the heirs and personal representatives of Jas. D. Shuler, deceased, conferring jurisdiction on the Canal Appraisers to hear and determine their claims for compensation for lands appropriated to the construction and enlargement of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to encourage the formation of water power manufacturing companies, and the improvement of existing water powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of a swing bridge over the Chemung canal, at the south line of the corporation of the village of Horseheads, near the residence of Daniel Bennitt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the construction of an iron bridge over the Erie canal in the village of Brockport, county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to ratify and confirm a certain lease and contract made by and between the Seneca nation of Indians and Aaron W. Dunkin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of Zacheus W. Barrett, William W. Huggins and Silas G. Roberts," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the Bethlehem Mutual Insurance Association and to ratify its proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act providing for the construction of a canal in the town of New Utrecht, in the county of Kings and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the veterans of the ninth regiment, third brigade, first division National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defense.

"An act limiting the jurisdiction and defining the powers and duties of justices of the peace in the city of Buffalo, in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the title to real estate derived by descent from aliens who shall die intestate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill on preferred calendar, entitled as follows:

"An act authorizing the consolidation of certain railroad companies."

After some time spent therein, the President resumed the chair, and Mr. Hale, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. O'Donnell moved that said bill, and also the Assembly bill entitled "An act to increase the capital stock of the New York Central Railroad Company," be made the special order to-morrow immediately after the third reading of bills, and that at 2 o'clock P. M. the Senate take a recess until 4 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President appointed as a committee of conference upon the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,'" Messrs. Parker, Folger and Hubbard.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open and improve Twenty-fifth street in said city," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the city of Cohoes," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,'" passed

March 26, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to regulate and fix the salaries of certain members of the Capital Police force, and to provide for payment thereof," passed April 22, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the completion of the Wallabout Improvement of the city of Brooklyn,' passed March 28, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to provide for the transfer of certain arsenals or armories belonging to the State to the county authorities of the counties in which they are located," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the Crescent Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Nicks and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to authorize the city of Elmira, and the town of Southport, in the county of Chemung, to purchase the two bridges over the Chemung river at Elmira," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Pierce
Campbell	Gehet	Mattoon	Norton	Stanford
Cauldwell	Graham	Morgan	O'Donnell	Tweed
Creamer	Hale	Nichols	Parker	Williams
Edwards	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county," with a message that they had consented to a committee of conference, and appointed as such committee, Messrs. La Bau, Bemus, Weed, Cullen and Irving.

The Assembly returned the following entitled bills, with a message that they had non-concurred in the passage of the same:

"An act to increase the salaries of the Judges of the Court of Appeals, and the Justices of the Supreme Court, hereafter to be elected, of the Clerk of the Court of Appeals, and of the Reporter of that Court."

"An act for the improvement of the east and west branches of St. Regis river."

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act for the relief of John Henry Winter."

"An act for the relief of Charles J. De Graw."

"An act in relation to the Port Chester Savings Bank."

"An act to incorporate the Buffalo Turnverein."

"An act to authorize the Steam Stone Cutter Company to dispose of its property."

"An act in relation to contracts for constructing Oneida Lake canal, and to correct certain errors therein."

"An act in relation to the drainage of the low lands of the town of Wheatfield, in the county of Niagara."

"An act for the appointment of commissioners to lay out a plan for roads and streets in the towns of Kings county."

"An act to incorporate the Young Men's Lyceum of the village of Tarrytown, Westchester county."

"An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York Railroad Company."

"An act to amend the act incorporating the village of Carthage, in the county of Jefferson."

"An act releasing the interest of the people of the State of New York in certain real estate to Thomas C. T. Buckley."

"An act to facilitate the construction, completion and equipment of the Buffalo, Corry and Pittsburgh railroad, and to enable any railroad corporation in this State to loan its credit and take stock in said railroad."

"An act to amend an act entitled 'An act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads,' passed May 7, 1847."

"An act to amend an act passed April 13th, 1819, entitled 'An act to incorporate the Members of the Genesee Annual Conference.'"

"An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas in and for the city and county of New York, and fixing the compensation of the deputy and assistant record clerk in said office."

"An act authorizing the appraisal and payment of canal damages to James O'Brien, caused by the water flowing over and through the tow-path of the Champlain canal, in the town of Fort Edward, Washington county."

"An act to provide for the erection of a public market in the Twenty-first ward of the city of New York."

"An act to incorporate the Excelsior Savings Bank, in the city of New York."

"An act authorizing the construction of a railroad through certain streets in the city of Poughkeepsie, and through certain streets and roads in the town of Poughkeepsie, in the county of Dutchess."

"An act to provide for the erection of school buildings, and the maintenance of a Normal Labor school upon the Tonawanda reservation."

"An act making appropriations for the support of government."

"An act in relation to the establishment of a Normal and Training school in the village of Plattsburgh, to be called 'The Plattsburgh Normal and Training School.'"

"An act to amend the act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Onondaga, in the county of Onondaga," passed April 29, 1863."

"An act to incorporate the Clyde Waterworks Company."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment:

"An act to authorize the trustees of the village of Clyde to levy and collect a tax to pay indebtedness of the village and for the ordinary expenses of the village."

"An act to authorize the mortgaging of real estate of certain societies and corporations."

"An act relating to the procurement of abortions and other like offenses."

"An act to enable the trustees of the village of Oxford, in Chenango county, to raise money for certain purposes."

"An act to provide for the laying out and opening of a highway in the town of Flatbush, in continuation of East New York avenue."

"An act to authorize a tax in the town of Phelps for a town hall at Orleans village."

"An act to authorize boards of supervisors to provide for the employment of a stenographer by county courts and courts of sessions in the various counties of this State."

"An act to legalize the election of justices of the peace in the town of Potsdam, St. Lawrence county, and to amend the act relating to the 'fifth justice' in said town, passed February 7, 1853."

"An act to amend an act entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' passed April 30, 1864."

"An act relative to the widening, straightening, laying out and opening of St. Ann's avenue and Carr avenue, in the town of Morrisania, in the county of Westchester."

"An act to alter the map or plan of the city of New York."

"An act to unite and protect ancient burying grounds, and establish a rural cemetery and a free burying ground in the town of New Lebanon, Columbia county, New York."

"An act to amend 'An act to incorporate the village of Richfield Springs,' passed March 30, 1861."

"An act to establish a public place in the city of New York."

"An act to empower the Albany Sovereign Consistory, the Rose Croix Chapter, the Grand Council of the Princes of Jerusalem, and the Ineffable and Sublime Grand Lodge of Perfection, of Masons of the Ancient

Accepted Scottish Rite, in the city of Albany, to hold and convey real estate."

"An act to release to the widow and children of Thos. Wall, deceased, all the estate, right, title and interest of the people of the State of New York of, in and to certain lands in the town of Phelps, county of Ontario."

"An act to authorize Smith & Parmelee Gold Company to issue a preferred stock."

"An act to amend the charter of the village of Little Falls."

"An act for the more effectual suppression and punishment of bribery."

"An act to authorize the inhabitants of the town of Homer to issue bonds for the completion and endowment of the Cortland Academy at Homer."

"An act to provide for the auditing and payment of the claim of Francis Hubbard, late of Hopkinton, St. Lawrence county, deceased."

"An act respecting the extension of the charters of certain insurance companies."

"An act to extend the time for taking avail of certain provisions of chapter 804 of the Laws of 1868, entitled 'An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act reappropriating a certain portion of the income of the United States Deposit Fund for the benefit of academies."

"An act to amend the charter of the Fireman's Trust Insurance Company of Brooklyn."

"An act in relation to the receiver of taxes and assessments for the town and village of Yonkers."

"An act to amend an act entitled 'An act to incorporate the village of Charlotte, in the county of Monroe,' passed April 30, 1869."

"An act to extend the time for organization of the Commercial Warehouse Company of Albany."

"An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills:

"An act to incorporate the Fidelity Safe Deposit Company of the city of New York."

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

"An act to authorize the Whitehall and Plattsburgh Railroad Company to take increased fare, and to establish a ferry."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of Charlotte, in the county of Monroe,' passed April 30, 1869."

On motion of Mr. O'Donnell, the Senate adjourned.

FRIDAY, MAY 7, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

The journal of yesterday was read and approved.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the city of Cohoes," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Murphy moved to take from the table the question agreeing to the report of the committee on literature adverse to the bill entitled "An act to incorporate the Gravesend Institute, and to enable the town of Gravesend to endow the same out of its common lands."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

By unanimous consent, Mr. Murphy moved to disagree with the report of the committee, and that said bill be referred to the committee on literature, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to lay out, open and improve a public highway or avenue from Prospect park in the city of Brooklyn, to Coney Island, in the county of Kings," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Palmer moved that the committee on banks be discharged from the further consideration of the Assembly bill entitled "An act in relation to safe deposit companies," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act in relation to the Mediterranean and Oriental Steam Navigation Company of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Edwards and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Nichols and by unanimous consent the rules were suspended, and the bill entitled "An act to reappropriate moneys for paying awards made by Canal Appraisers in 1866, for paying the expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal," was recommitted to the committee on canals, with power to report complete.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled, 'An act to complete the High Service Water Works at Carmansville, in the city of New York, and to provide means for the same,' passed April 3, 1867; and also, to amend an act entitled 'An act to facilitate the acquisition of lands for the extension of the Croton Aqueduct Water Works, and for the construction of impounding or storage reservoirs, in the counties of Putnam and Westchester, and to authorize the mayor, aldermen and commonalty of the city of New York to borrow \$300,000 for the purpose aforesaid,' passed April 3, 1865; and also to amend an act entitled 'An act to authorize the corporation of the city of New York to borrow further sums of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' passed April 14, 1860," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitteed the Assembly bill entitled "An act to amend 'An act to confer additional powers upon the Metropolitan Police force, relating to the inspection of steam boilers,' passed April 9, 1862," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitteed the Assembly bill entitled "An act to incorporate the city of Cohoes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the laws relating to common schools in the first Assembly district of Orange county," reported adversely thereto.

Mr. Chapman moved to lay the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was recommitteed the Assembly bill entitled "An act to amend the act to incorporate the Auburn Literary Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to repeal chapter 251 of the Laws of 1823, entitled 'An act to annex Scutter's Island, Little Island, and Milton Island, to the county of Greene,'" reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapran, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex part of the town of Dix to the town of Montour, in the county of Schuyler, and to alter the boundaries thereof," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the bill entitled "An act to erect a new county from parts of the county of Steuben," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide ways and means for the support of government," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Van Petten, from the committee on militia and public defense, to which was referred the Assembly bill entitled "An act to incorporate the Veterans of the Ninth regiment, Third brigade, First division National Guard of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was recommitted the Assembly bill entitled "An act to provide ways and means for the support of government," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain Underground Railway in the city of New York,' passed April 17, 1868."

"An act to incorporate the National Institute of Letters, Arts and Sciences."

The Assembly bill entitled "An act to incorporate the Crescent Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Pierce
Beach	Creamer	Hale	Nicks	Stanford
Bradley	Edwards	Humphrey	Palmer	Van Petten
Campbell	Folger	Kennedy	Parker	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Stanford, from the committee on canals, to which was recommitted the bill entitled "An act to appropriate moneys for paying awards made by the Canal Appraisers in 1866, for paying expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly bill entitled "An act for the relief of the Brooklyn and Winfield Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	Palmer	Tweed
Creamer	Hubbard	Morgan	Parker	Van Petten
Edwards	Humphrey	Nichols	Pierce	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Humphrey moved to reconsider the vote upon the passage of the Assembly bill entitled "An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus and Wyoming, and to authorize the towns therein to subscribe to the capital stock thereof."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morgan	Parker
Campbell	Folger	Humphrey	Nichols	Pierce
Cauldwell	Graham	Kennedy	Nicks	Tweed
Chapman	Hale	Mattoon	Palmer	Van Petten

20

On motion of Mr. Humphrey and by unanimous consent, said bill was amended by including the town of York, in the county of Livingston.

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce
Beach	Creamer	Hubbard	Norton	Stanford
Campbell	Edwards	Humphrey	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	

19

FOR THE NEGATIVE.

Bradley	Folger
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the National Institute of Letters, Arts and Sciences," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Pierce
Beach	Crowley	Hubbard	Morgan	Stanford
Campbell	Edwards	Humphrey	Nichols	Van Petten
Cauldwell	Graham	Kennedy	Parker	Williams
Chapman				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the reopening of old, and the building of new culvert ditches near the Erie canal, in the village of Montezuma, and on the line of the Cayuga and Seneca canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Stanford
Beach	Chapman	Hale	Nichols	Tweed
Bradley	Creamer	Hubbard	O'Donnell	Van Petten
Campbell	Edwards	Kennedy	Parker	Williams
				20

FOR THE NEGATIVE.

Morgan 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Saratoga Springs,' passed March 26, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Stanford
Beach	Chapman	Hale	Palmer	Tweed
Bradley	Edwards	Kennedy	Parker	Van Petten
Campbell	Folger	Mattoon	Pierce	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the 'South Side Railroad Company of Long Island' to build one or more branches from its main track to Newtown Creek, and to operate its road with an improved steam dummy, within the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Campbell	Crowley	Hale	Morris	Stanford
Cauldwell	Edwards	Kennedy	Palmer	Van Petten
Chapman	Folger	Mattoon	Parker	Williams
				20

FOR THE NEGATIVE.

Bradley Norton 2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the Code of Procedure," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Parker
Beach	Graham	Mattoon	Norton	Pierce
Crowley	Hale	Morgan	O'Donnell	Stanford
Edwards	Humphrey	Morris	Palmer	

19

FOR THE NEGATIVE.

Campbell	Chapman	
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Utica and Mohawk Street Railroad Company, and to authorize the city of Utica, in the county of Oneida, and the towns of Frankfort and German Flats, in the county of Herkimer, to issue bonds and take stock therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Norton	Parker
Beach	Edwards	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Williams
Cauldwell	Hale	Nichols		

18

FOR THE NEGATIVE.

Bradley	Creamer	Tweed	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain Underground Railway in the city of New York,' passed April 17, 1868," having been announced for a third reading,

Mr. Creamer moved to recommit the same to the committee, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Edwards	Mattoon	Norton
Beach	Creamer			

7

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Stanford
Cauldwell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nichols	Parker	Williams
Crowley				

16

On motion of Mr. Parker and by unanimous consent said bill was amended, as follows:

Insert in section 1, after the words "City Hall place by tunnel" the words, "or on a line east or west of City Hall place by tunnel or open cut."

Pending the call of the roll upon the final passage of said bill,

Mr. Parker moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer moved that further proceedings under the call be suspended.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Kennedy	Palmer	Thayer
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Folger	Humphrey	O'Donnell	Stanford	Williams

15

FOR THE NEGATIVE.

Banks	Chapman	Edwards	Murphy	Nicks
Beach	Creamer	Mattoon	Nichols	Norton
Bradley	Crowley	Morris		

13

The Assembly bill entitled "An act to authorize the New York Railroad Company to construct certain railroads in the city and county of New York, and across the Harlem river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Mattoon	Van Petten
Beach	Hubbard	Kennedy	Pierce	Williams
Cauldwell				

11

FOR THE NEGATIVE.

Bradley	Edwards	Morgan	Nicks	Parker
Campbell	Folger	Morris	Norton	Stanford
Chapman	Genet	Murphy	O'Donnell	Thayer
Crowley	Hale	Nichols	Palmer	Tweed

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to authorize the extension of tracks of the Dry Dock, East Broadway and Battery Railroad Company in the city of New York," having been announced for a third reading,

Mr. Tweed moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the common council of the city of Brooklyn to open and improve Twenty-fifth street in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Beach	Folger	Morgan	Palmer	Tweed
Bradley	Hubbard	Murphy	Parker	Van Petten
Campbell	Humphrey	Nichols	Pierce	Williams
Creamer	Kennedy			22

FOR THE NEGATIVE.

Crowley	O'Donnell	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Beach	Folger	Morris	Palmer	Tweed
Cauldwell	Hubbard	Murphy	Pierce	Van Petten
Creamer	Humphrey	Nichols	Stanford	Williams
Crowley	Kennedy	Nicks		23

FOR THE NEGATIVE.

Bradley	Hale	Morgan	O'Donnell	Parker
Chapman				6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the removal of the wall benches in the Erie canal in the city of Utica, and for the construction of a vertical wall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	O'Donnell	Tweed
Beach	Creamer	Mattoon	Parker	Van Petten

Campbell	Folger	Nicks	Pierce	Williams	
Cauldwell	Hubbard	Norton	Stanford		19

FOR THE NEGATIVE.

Morgan 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," having been announced for a third reading,

On motion of Mr. Mattoon, said bill was amended by striking out the words "county of Oswego."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Kennedy	Morgan	Palmer	
Campbell	Edwards	Mattoon	Norton	Van Petten	
Cauldwell					11

FOR THE NEGATIVE.

Chapman	Hale	Morris	Pierce	Williams	
Folger	Humphrey	Nicks	Stanford		9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the completion of the Wallabout Improvement of the city of Brooklyn,' passed March 28, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Parker	
Bradley	Edwards	Kennedy	Nichols	Pierce	
Campbell	Folger	Mattoon	Nicks	Tweed	
Cauldwell	Hale	Morgan	Norton	Van Petten	
Creamer	Hubbard				22

FOR THE NEGATIVE.

Murphy 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to establish the Capital Police district, and to provide for the government and payment thereof,' passed April 22, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford
Campbell	Hale	Mattoon	Nicks	Thayer
Cauldwell	Hubbard	Morgan	Palmer	Van Petten
Creamer	Humphrey	Morris	Pierce	Williams
Crowley				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend 'An act to confer additional power upon the Metropolitan police, relating to the inspection of steam boilers,' passed April 9, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Tweed
Bradley	Edwards	Mattoon	Norton	Van Petten
Campbell	Genet	Morris	Pierce	Williams
Cauldwell	Hubbard	Nichols	Thayer	19

FOR THE NEGATIVE.

Crowley	Folger	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide ways and means for the support of government," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Nicks	Pierce
Campbell	Hubbard	Morgan	O'Donnell	Stanford
Crowley	Humphrey	Morris	Palmer	Thayer
Edwards	Kennedy	Nichols	Parker	Tweed
Folger				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Mediterranean and Oriental Steam Navigation Company of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Parker	Thayer
Campbell	Hale	Mattoon	Pierce	Tweed
Cauldwell	Hubbard	Morris	Stanford	Van Petten
Edwards	Humphrey	Palmer		

18

FOR THE NEGATIVE.

Morgan	Nicks	Williams		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act to incorporate the Auburn Literary Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Tweed
Campbell	Genet	Kennedy	Nichols	Van Petten
Cauldwell	Hale	Mattoon	Pierce	Williams
Creamer	Hubbard	Morgan	Thayer	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley moved to reconsider the vote upon the passage of the Assembly bill entitled "An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nichols	Pierce
Bradley	Edwards	Mattoon	Nicks	Thayer
Campbell	Genet	Morris	Palmer	Van Petten
Creamer	Humphrey	Murphy	Parker	Williams

20

On motion of Mr. Crowley and by unanimous consent, said bill was amended by striking out in section 3, the word "two" and inserting "one."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Cauldwell	Folger	Kennedy	Palmer	Tweed
Creamer	Genet	Morris	Pierce	Williams
Crowley	Hubbard	Nichols		

18

FOR THE NEGATIVE.

Morgan	O'Donnell	Parker		
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act supplementary to an act entitled 'An act to incorporate the village of McGrawville, Cortland county,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nicks	Pierce
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Humphrey	Morris	Palmer	Tweed
Crowley	Kennedy	Nichols	Parker	

19

FOR THE NEGATIVE.

Edwards

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Pierce and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act in relation to the Brooklyn Eclectic Dispensary," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	Palmer	Thayer
Campbell	Hubbard	Morgan	Parker	Tweed
Cauldwell	Humphrey	Morris	Pierce	Williams
Crowley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, in the words following :

The committee of conference appointed by the Assembly to meet a like committee appointed by the Senate to take into consideration the matters in difference between the two Houses upon the Senate bill entitled "An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county," respectfully report :

That such joint committee of conference met pursuant to notice, and conferred freely upon such matter in difference, and after consideration your said committee have by a majority vote of the members of said committee agreed to recede from the amendments to said bill made by the House.

JAS. F. PIERCE,
THOS. J. CREAMER,
Senate Committee.

N. B. LA BAU,
JAS. IRVING,
H. J. CULLEN, JR.,
M. P. BEMUS,
Assembly Committee.

Dated May 6, 1869.

IN ASSEMBLY, *May 7, 1869.*

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Palmer	Thayer	
Beach	Edwards	Kennedy	Parker	Tweed	
Bradley	Genet	Murphy	Pierce	Van Petten	
Campbell	Hubbard	Nichols	Stanford	Williams	20

FOR THE NEGATIVE.

Folger	Hale	O'Donnell	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act to incorporate the First National Bank of Lowville," with a message that they had passed the same with the following amendments :

Section 4, line 6, printed bill, strike out the word "nine" and insert "a majority." Same section, line 10, strike out "seven" and insert "a majority of the." Strike out on lines 10 and 11, the words "or a majority of those present."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Palmer	Thayer	
Beach	Genet	Morgan	Parker	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	
Cauldwell	Hubbard	Nicks	Stanford	Williams	
Edwards	Humphrey	O'Donnell			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868," with a message that they had concurred in the passage of the same with the following amendments :

Page 3, engrossed bill, line 5, strike out the word "of" and insert "now."

Section 2, line 7, strike out all after the word "act" down to and including the word "amended" in line 9, and insert in lieu thereof the following words: "not exceeding twenty-five thousand dollars, and the expenses already necessarily incurred by the commissioners under the act hereby amended shall be assessed upon that portion of the assessment district for the opening of the said road as lies south of Fairmount avenue, in connection with the assessment to be made hereunder for the opening of said roads or avenues."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Tayer
Beach	Genet	Kennedy	Palmer	Tweed
Campbell	Hale	Mattoon	Pierce	Van Petten
Cauldwell	Hubbard	Morgan	Stanford	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county," with a message that they had passed the same with the following amendments :

Section 4, line 5, printed bill, strike out the word "eight" and insert "a majority." Same section, line 9, strike out "seven" and insert "a majority of the." Same section, line 13, strike out "or" and insert "a vote of two-thirds of all the trustees shall be requisite for."

Section 5, line 6, strike out "seven" and insert "a majority."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Beach	Edwards	Humphrey	O'Donnell	Tweed
Campbell	Genet	Kennedy	Parker	Van Petten
Cauldwell	Hale	Morgan	Pierce	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county," with a message that they had concurred in the passage of the same with the following amendment :

Section 4, line 4, engrossed bill, add after the word "thereto" the following : "this act shall not affect legal proceedings commenced or pending under acts heretofore passed on this subject."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Van Petten
Cauldwell	Folger	Mattoon	Parker	Williams
Chapman	Genet			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842," with a message that they had passed the same with the following amendment :

Section 1, line 6, engrossed bill, strike out the word "prohibit" and insert "regulate."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Palmer
Beach	Crowley	Hubbard	Morgan	Parker
Campbell	Edwards	Humphrey	Nicks	Pierce
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act for the relief of John Edwards," with a message that they had concurred in the passage of the same with the following amendment:

Strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	O'Donnell	Tweed
Campbell	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Genet	Mattoon	Parker	Williams
Creamer	Hale	Nichols	Pierce	
				24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act for the payment of Charles A. Danolds for the construction of a dam across the Mohawk river at Rexford Flats," pursuant to a resolution of the Senate.

Mr. Mattoon moved to reconsider the vote agreeing to the report of the committee on claims adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Mattoon moved to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

The Assembly returned the Assembly bill entitled "An act to incorporate the Medora Hook and Ladder Company No. 3, of Port Richmond," pursuant to a resolution of the Senate.

Mr. Edwards moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to said bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Edwards moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to provide for the construction of an iron foot bridge across the Erie canal in the city of Utica, across Broadway street," pursuant to a resolution of the Senate.

Mr. Campbell moved to reconsider the vote agreeing to the report of the committee on canals adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Campbell moved to recommit said bill to the committee on canals.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village."

Mr. Cauldwell moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Cauldwell moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly sent for concurrence the bill entitled as follows:

"An act making appropriations for certain public and charitable institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

On motion of Mr. Stanford and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the Rexford Flats Bridge Company," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Stanford and by unanimous consent the rules were suspended, and the bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of George Devitt, in the town of Waterford, county of Saratoga," was recommitted to the committee on canals, with power to report complete.

Mr. Palmer, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Port Jervis, in the county of Orange," passed March 30, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Church Building Aid Association of the Wesleyan Methodist Connection of America," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to lay out, open and

improve a public highway or avenue from Prospect park, in the city of Brooklyn, to Coney Island, in the county of Kings," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the Staten Island Bridge Company," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to improve certain streets in the town of Newtown, Queens county," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of John C. Blaisdell, Harden Bailey and others," reported in favor of the passage of the same with amendments.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to incorporate the Jamaica Bay Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to ratify and confirm a certain lease and contract made by and between the Seneca Nation of Indians and Aaron W. Dunkin," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. O'Donnell, from the conference committee, submitted the following:

To the Senate and Assembly:

The committee of conference upon the differences between the Senate and Assembly upon the bill entitled "An act making appropriations for the expenses of the Government and for supplying deficiencies in former appropriations," report that the said committee have considered the same, and the Assembly have concurred in all the amendments of the Senate thereto, except on the following items, on which the committee have agreed to the following amendments, and recommend the concurrence of the two Houses therein, viz:

Page 5. In item to pay Edgar V. Denison, after the word "New York" strike out "three" and insert "two."

Page 6. In item concerning pay of messengers, at end of line 28, add the words "or upon certificate of Speaker of the Assembly" to the Senate amendment.

Page 8. On item line 8, page 8, strike out "two" and insert "three," and insert "and fifty" after the word "hundred." Line 19, same page,

strike out "one" and insert "two;" after word "hundred" insert "and fifty." Same page, lines 25 and 26, Senate recedes from its amendment on item concerning pay of Lyman B. Smith.

Page 9, lines 10 and 11, strike out "six thousand four hundred and twenty" and insert "four thousand five hundred."

Page 11. On item to pay Charles M. Clancey, strike out the words "and seventy."

Page 17, lines 7, 8, 9 and 10, Senate recedes from its amendment.

Page 20. Senate recedes from its amendment after line 3, item of \$2,000 for N. Y. State Poultry Society.

Page 21. Senate recedes from its amendment striking out from line 1 down to and including line 13, and said item is to be transferred and inserted after line 9, page 36, engrossed bill.

Page 27, line 19, Senate recedes from its amendment. In item to pay Henry W. Parkhurst for reporting testimony in the Callicot investigation \$75, the Senate recedes.

Page 34, line 19, Senate recedes from its amendment.

Page 35, lines 23, 24 and 25, strike out "Lyman Congdon" and insert "Francis O. Mason;" and strike out "David D. Lefler" and insert "William A. Swaby."

Page 36, lines 16, 17, 18 and 19, Senate recedes, and the committee recommend an amendment to strike out "May" and insert "June," and strike out "two" and insert "three."

J. O'DONNELL,

A. P. NICHOLS,

Senate Committee.

J. H. SELKREG,

SAMUEL ROOT,

LYMAN TRUMAN,

C. V. B. BARSE,

THOMAS J. LYON,

JAMES W. HUSTED,

Assembly Committee.

The committee have failed to agree upon the following items:

The sum of one hundred and twenty-five thousand dollars is hereby appropriated for the erection of the new Capitol; and the further sum of one hundred and twenty-five thousand dollars, the unexpended balance of two hundred and fifty thousand dollars appropriated by chapter 485 of the Laws of 1867, towards the erection of a new Capitol, is hereby reappropriated for the same purpose. The new Capitol Commissioners are hereby authorized to make such compensation to their Secretary, for services, as in their opinion shall be just.

Page 26, line 22, item concerning "Walker contract at Sing Sing prison."

Page 30, line 1, item; Senate amendment concerning "Quarantine structures."

Mr. Folger moved that the Senate agree to the report of the committee of conference, except as to the following items:

Striking out in item to Messrs. Leland, \$6,420, and inserting \$4,500.

To pay Henry W. Parkhurst for reporting testimony in the Callicot investigation, \$75.

Mr. Thayer moved also to except the item repealing certain clauses of the act relative to steam boilers.

Mr. Murphy moved also to except the item appropriating two thousand dollars to the New York State Poultry Society.

The President put the question whether the Senate would agree to the report of the committee of conference, except as to items above named, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Parker
Beach	Creamer	Humphrey	Murphy	Stanford
Bradley	Edwards	Kennedy	Nichols	Tweed
Campbell	Folger	Mattoon	Norton	Van Petten
Cauldwell	Hale	Morgan	O'Donnell	Williams

25

The President then put the question whether the Senate would agree to concur in the report of the committee of conference upon the item relative to compensation to Messrs. Leland, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Murphy	Stanford
Bradley	Hale	Morgan	Nichols	Van Petten
Creamer	Humphrey	Morris	O'Donnell	

14

FOR THE NEGATIVE.

Banks	Crowley	Nicks	Parker	Tweed
Cauldwell	Folger	Norton	Thayer	Williams
Chapman	Genet			

12

The President then put the question whether the Senate would agree to concur in the report of the committee of conference relative to item for Henry W. Parkhurst for reporting testimony in the Callicot investigation, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morris	Nicks	Parker
Chapman	Kennedy	Nichols	O'Donnell	Van Petten
Hale	Morgan			

12

FOR THE NEGATIVE.

Banks	Creamer	Genet	Palmer	Thayer
Beach	Crowley	Murphy	Pierce	Tweed
Bradley	Edwards	Norton	Stanford	Williams
Cauldwell	Folger			

17

The President then put the question whether the Senate would agree to concur in the report of the committee of conference upon items relative to repealing certain clauses of the act relative to steam boilers, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Nicks	Parker
Chapman	Hubbard	Morris	Norton	Stanford
Crowley	Humphrey	Murphy	O'Donnell	Van Petten
Edwards	Kennedy	Nichols	Palmer	Williams
Folger				

21

FOR THE NEGATIVE.

Beach	Cauldwell	Genet	Thayer	Tweed
Bradley	Creamer			

7

The President then put the question whether the Senate would agree to concur in the report of the committee of conference upon the item for the New York State Poultry Society, two thousand dollars, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	O'Donnell	Thayer
Chapman	Hale	Morris	Parker	Van Petten
Crowley	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy	Nicks		

18

FOR THE NEGATIVE.

Bradley	Genet	Murphy	Palmer	Tweed
Creamer				

6

Mr. O'Donnell moved that a new committee of conference be appointed upon the matter in difference, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. O'Donnell, Murphy and Hale were appointed as such committee.

Ordered, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have appointed a committee of conference upon the matter in difference, and request a like committee on their part.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and the bill entitled "An act to release and convey the interest of the State of New York in certain real estate in the county and city of New York to Arthur Dougherty, Wm. Dougherty, Catharine Dougherty and Mary Dougherty, heirs of Martha Dougherty, deceased," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Folger moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the Assembly bill entitled "An act to amend section 9, chapter 7, part 2, article 1 of the Revised Statutes, concerning fraudulent conveyances and contracts in relation to lands."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Folger moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

On motion of Mr. Morris and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act authorizing and requiring the town of Olean, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," was recommitted to the committee on railroads, with power to report complete.

Mr. Stanford moved that the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1869," be made the special order immediately after the special order already disposed of.

The President put the question whether the Senate would agree to said

motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair, and declared the Senate in recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order pending at the hour of recess, being the Assembly bills entitled as follows:

"An act authorizing the consolidation of certain railroad companies."

"An act authorizing the increase of the stock of the New York Central Railroad Company."

After some time spent therein the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of the first named bill with amendments.

Mr. O'Donnell moved to amend the report of the committee of the whole, as follows:

"All of the capital of the companies situate within this State shall be taxed in the same manner as now provided for real estate, and the Comptroller is hereby authorized to determine what part of said capital is situate in this State."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	O'Donnell	Parker	Stanford	
Chapman	Morgan				7

FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Pierce	
Beach	Edwards	Hubbard	Nichols	Tayer	
Bradley	Genet	Mattoon	Norton	Tweed	
Cauldwell	Graham	Morris	Palmer	Van Petten	
Creamer					21

Mr. O'Donnell renewed the amendment offered by him in committee of the whole, as follows:

"And the rate of fare, within the State of New York, for any road or roads consolidating under this act shall not be above two cents per mile."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Crowley	Morgan	O'Donnell	Van Petten	
Chapman	Kennedy	Nicks	Stanford	Williams	10

FOR THE NEGATIVE.

Beach	Edwards	Mattoon	Nichols	Pierce	
Bradley	Genet	Morris	Norton	Tayer	
Cauldwell	Hale	Murphy	Parker	Tweed	
Creamer	Hubbard				17

Mr. O'Donnell renewed the amendment offered by him in committee of the whole, as follows:

"And any railroad companies or corporations so consolidated and operating roads in this State, shall on or before the 1st day of July, 1889, and in each year thereafter, at the time of making their annual reports as required by law, file with the State Engineer and Surveyor a statement verified by the affidavits of the President and General Superintendent thereof, showing the average cost per year, per ton or otherwise per mile for the different classes of freight as non-classified by such companies, from and to every station within the State for the preceding year, ending at the time of their annual reports to the said department; and every such company is hereby prohibited from charging for freight transportation, per ton or otherwise, from any station to any station within the State, over ten per cent above such cost as returned under the provisions of this act; and the violation of this section shall be a misdemeanor."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Morgan	Stanford	Van Petten	Williams	
Kennedy	O'Donnell				7

FOR THE NEGATIVE.

Banks	Edwards	Hale	Morris	Parker	
Beach	Genet	Hubbard	Murphy	Pierce	
Bradley	Graham	Mattoon	Nichols	Tweed	
Cauldwell					16

Mr. O'Donnell renewed the amendment offered by him in committee of the whole, as follows:

"The actual value shall be determined by the amount of capital represented by the dividends paid or declared to stockholders for the first five years, to be computed upon a basis of 7 per cent interest."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	O'Donnell	Van Petten	Williams	5
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FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nichols	Parker	
Beach	Edwards	Mattoon	Norton	Pierce	
Cauldwell	Graham	Morris	Palmer	Tweed	
Chapman	Hale	Murphy			18

Mr. O'Donnell moved to amend, as follows;

"And the roads consolidating under this act shall not charge to the city of Buffalo more than 10 per cent addition to the actual cost for carrying freight from any station in the State to said city."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Morgan	Stanford	Van Petten	Williams	
Kennedy	O'Donnell				7

FOR THE NEGATIVE.

Banks	Cauldwell	Graham	Morris	Parker	
Beach	Chapman	Hale	Murphy	Pierce	

Bradley
CampbellCreamer
EdwardsHubbard
MattoonNichols
Norton

Tweed

19

Mr. Kennedy moved to amend the report of the committee of the whole, as follows:

"§ 8. The New York Central Railroad Company, and its leased branches; the Hudson River Railroad Company; the Harlem Railroad Company; and the Erie Railroad Company, and its leased branches, and the road or roads consolidated under and pursuant to the provisions of this act, shall not be allowed to have, demand or receive a greater sum for the transportation, by the car load, of any freight over the line of their respective roads, than as follows: The first-class freight ten cents per ton per mile for property carried twenty-five miles or less; eight cents per ton per mile for the same carried over twenty-five and up to fifty miles; six cents per ton per mile for the same carried over fifty and up to one hundred miles; three and a half cents per mile per ton for the same carried over one hundred and up to one hundred and fifty miles; and three cents per ton per mile for the same carried over one hundred and fifty miles. For second and third-class goods they shall have, demand and receive no more than twenty per cent less than the above rates for each distance; on fourth-class goods thirty per cent less than the first above rates for each distance; and on flour, by the barrel, not more than double the rates of fourth-class goods for the same distance; the above rates shall be the maximum rates of freight charges by each of the said railroads, but they may demand and receive a less rate than the above stipulated maximum; the classification of freight made in this section shall be the same as made and declared by the New York Central Railroad Company on the 1st day of August, 1865.

"§ 9. Any property transported upon the line or either of the railroads mentioned in this act shall be charged for transportation no more than the maximum rate for the distance the same is carried to its destination (if on either of said roads), over one or more of said roads.

"§ 10. Coal by the car load shall not pay more than three-fourths the rate of fourth-class property, if the cars are loaded and unloaded by the shippers; and no more than one-half of such rate if transported on the cars of other railroad companies, coal companies or individuals.

"§ 11. No freight station on the line of either of the railroads mentioned in the first section of this act, in existence on the 1st day of January, 1869, shall be discontinued without the consent of the Legislature.

"§ 12. In all cases property transported in quantities less than a car load may be charged a maximum rate per ton per mile twenty-five per cent more than the rates for the same class for the same distance as established by the eighth section of this act; and the railroad company carrying the same may demand and receive in addition thereto a sum not exceeding fifteen cents per ton for receiving and discharging the same; provided, however, that in no case shall the company carrying be compelled to demand and receive a less sum than twenty-five cents for the carriage of any one shipment.

"§ 13. No freight offered for transportation and delivery at any freight station of either of the railroads mentioned in the eighth section of this act, to the extent of the capacity of the company's warehouses, at the place where offered, shall be delayed, awaiting shipment, for a longer period than six days, unless prevented by the direction of the consignor, or unavoidable causes, other than property awaiting transportation, and

no discrimination in regard to dispatch shall be made in favor of freight from other States, and provided further that perishable property shall at all times be shipped over said roads in preference to property not perishable.

“§ 14. Either of the above named railroads, violating either of the provisions of this act, shall be liable to a penalty of not less than one thousand dollars for each and every offense, to be sued for by any party interested, or by the Attorney-General of the State, on the complaint of any individual, sustained by affidavits of the violations of any of the provisions of this act.”

The President put the question whether the Senate would agree to said motion of Mr. Kennedy, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Nicks	Stanford	Van Petten	
Chapman	Kennedy	O'Donnell	Thayer	Williams	
Crowley	Morgan	Palmer			13

FOR THE NEGATIVE.

Banks	Creamer	Hale	Murphy	Parker	
Beach	Edwards	Hubbard	Nichols	Pierce	
Bradley	Genet	Mattoon	Norton	Tweed	
Cauldwell	Graham	Morris			18

Mr. Folger moved to amend the report of the committee of the whole, as follows:

In section 2, at the end of subdivision No. 1, add the following:

“But the number of shares of capital stock, and the amount or par value thereof shall not be larger in amount than the aggregate amount of capital, or greater than the par value of the shares of the several companies consolidated under this act, and shall not be increased, save in accordance with existing provisions of law. Nor shall more than one year elapse after any consolidation effected under this act before there shall be an election of directors of the company formed under this act; and a majority of the directors thereafter elected shall be residents of this State. And said agreement shall contain nothing inconsistent with the laws of this State now existing, save as the same is expressly allowed herein.”

Mr. Murphy moved to amend the amendment of Mr. Folger, as follows:

Add to subdivision 1:

“But the number of shares of capital stock and the amount or par value thereof shall not be larger in amount than the actual value of the shares of the several companies consolidated under this act, and shall not be increased save in accordance with the provisions of law.”

The President put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Murphy	Palmer	Thayer	Williams	
Hale	Nichols	Parker	Van Petten		9

FOR THE NEGATIVE.

Beach	Creamer	Genet	Mattoon	O'Donnell	
Bradley	Crowley	Graham	Morgan	Pierce	
Campbell	Edwards	Hubbard	Nicks	Stanford	
Cauldwell	Folger	Kennedy	Norton	Tweed	
Chapman					21

The President then put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Nicks	Parker	Van Petten
Chapman	Kennedy	O'Donnell	Stanford	Williams
Crowley	Morgan	Palmer	Thayer	14

FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Bradley	Genet	Mattoon	Nichols	Tweed
Cauldwell	Graham			17

Mr. Folger renewed the motion to amend the report of the committee of the whole, as follows:

Add at the end of section 3:

"But nothing in this act contained shall allow any rate of fare for way passengers greater than two cents per mile to be charged or taken over the track or tracks of that railroad company now known as the N. Y. Central Railroad Company. And the rate of fare for way passengers over the track or tracks now operated by the said New York Central Railroad Company shall continue to be two cents per mile and no more, wherever it is now restricted to that rate of fare, but nothing herein contained shall apply to street railroads."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Stanford
Chapman	Folger	Morgan	O'Donnell	Thayer
Creamer	Graham	Murphy	Palmer	Van Petten
Crowley	Humphrey	Nichols	Parker	Williams
				20

FOR THE NEGATIVE.

Banks	Cauldwell	Hubbard	Morris	Pierce
Beach	Genet	Mattoon	Norton	Tweed
Bradley	Hale			12

Ordered, That said bill be read a third time.

Mr. Genet, from the committee of the whole, reported in favor of the passage of the Assembly bill entitled "An act authorizing the increase of the stock of the New York Central Railroad Company," with amendments.

The President put the question whether the Senate would agree to the report of the committee of the whole, upon said entitled bill, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Tweed
Bradley	Genet	Mattoon	Pierce	Van Petten
Cauldwell	Graham	Morris	Thayer	Williams
Creamer	Hale	Nichols		18

FOR THE NEGATIVE.

Campbell	Crowley	Kennedy	O'Donnell	Parker
Chapman	Folger	Morgan	Palmer	Stanford
				10

Ordered, That said bill be read a third time.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act making appropriation for the payment of the principal and interest of the canal debt, commencing on the 1st day of October, 1869, and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Stanford and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Norton	Thayer
Bradley	Folger	Kennedy	O'Donnell	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Creamer	Hubbard	Nicks	Stanford	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to incorporate the Schenectady Waterworks Company," with a message that they had passed the same, with the following amendments:

Section 1, lines 2 and 3, strike out the names of "Garret P. Whitbeck" and "Solyman G. Hamlin," and insert in lieu thereof the names of "Daniel D. Campbell" and "Jay Cady."

Mr. Hale moved that the Senate non-concur in the amendment of the Assembly and request a committee of conference, and that a like committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion of Mr. Hale, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Hale, Hubbard and Beach.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendment, and request a committee of conference.

The Assembly returned the bill entitled "An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same," with a message that they had passed the same with the following amendments:

Section 1, lines 1 and 2, engrossed bill, strike out "Roswell L. Burrows and." Line 2, after "Wardwell" insert "Julius Vortainde, David F. Day and Jacob Beyer."

Mr. Nichols moved that the Senate non-concur in the amendments of the Assembly, and request a committee of conference, and that a like committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Nichols, Crowley and Parker.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

The Assembly returned the bill entitled "An act for the relief of Louisa R. Petit and Job Greene, Jr., with a message that they had concurred in the passage thereof with the following amendments:

Strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Humphrey	Palmer	Thayer
Cauldwell	Genet	Kennedy	Parker	Tweed
Chapman	Graham	Mattoon	Pierce	Van Petten
Crowley	Hale	Nichols		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to authorize the straightening of the Central avenue, in Westchester county, near Central Bridge," with a message that they had concurred in the passage thereof, with the following amendments:

Section 3, line 7, printed bill, after the word "original" strike out the word "assessment." Same line, after the word "limits" strike out the remainder of the line, and also strike out lines 8 and 9, and insert as follows: "assessment district for the opening of said avenue."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Palmer	Thayer
Beach	Graham	Mattoon	Parker	Tweed
Campbell	Hale	Nichols	Pierce	Van Petten
Cauldwell	Hubbard	Nicks	Stanford	Williams
Edwards	Humphrey	Norton		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the following entitled bills, with a message that they had non-concurred in the passage of the same:

"An act to incorporate the Port Morris Warehouse and Elevator Company."

"An act to incorporate the Beaver River Boom Company, and to authorize the erection of piers and booms across Beaver river, in Lewis county."

The Assembly returned the bill entitled "An act for the relief of Ovid Plumb and others," with a message that they had passed the same, with the following amendments:

Engrossed bill, strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Palmer	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Genet	Morris	Pierce	Van Petten
Chapman	Graham	Nichols	Stanford	Williams
Crowley	Hale	Nicks		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 7, 1868," with a message that they had passed the same, with the following amendments:

Strike out section 3, engrossed bill; change section 4 to section 3.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Pierce
Beach	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Folger	Kennedy	Palmer	Tweed
Chapman	Genet	Mattoon	Parker	Van Petten
Creamer	Graham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

To the Senate and Assembly:

The committee to which was referred the matters in difference between the two Houses on the Assembly bill entitled "An act authorizing the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany," having met, have agreed to recommend that the Assembly concur in the amendments made to said bill by the Senate.

All of which is respectfully submitted.

A. BLEECKER BANKS,
A. P. NICHOLS,
CHAS. J. FOLGER,
Senate Committee.

WILLIAM W. CAMPBELL,
WILLIAM J. PERRY,
JAY DIMICK,
CLAIBORNE FERRIS,
W. S. BERGEN,
Assembly Committee.

Dated May 6, 1869.

IN ASSEMBLY, May 7, 1869.

Report of the committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morris	Palmer	Thayer
Campbell	Graham	Nichols	Parker	Tweed
Creamer	Hale	Nicks	Pierce	Van Petten

Edwards	Hubbard	Norton	Stanford	Williams	23
Folger	Morgan	O'Donnell			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866, and to appropriate the moneys received under this act, also to amend the general laws of the State in relation to the sale of intoxicating liquors."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1869."

"An act to amend an act entitled 'An act to complete the High Service Water Works at Carmansville, in the city of New York, and to provide means for the same,' passed April 3, 1867; and also to amend an act entitled 'An act to facilitate the acquisition of lands for the extension of the Croton Aqueduct Water Works, and for the construction of impounding or storage reservoirs in the counties of Putnam and Westchester, and to authorize the mayor, aldermen and commonalty of the city of New York to borrow three hundred thousand dollars for the purposes aforesaid,' passed April 3, 1865; and also to amend an act entitled 'An act to authorize the corporation of the city of New York to borrow further sums of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' passed April 14, 1860."

"An act to amend chapter 513 of the Session Laws of 1868, entitled 'An act to confirm the title of certain persons to real estate questioned by reason of the alienism of former owners,' passed May 1, 1868."

After some time spent therein, the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of striking out the enacting clause in the first named bill.

Mr. Tweed moved to disagree with the report of the committee of the whole, and that the bill be ordered to a third reading.

Mr. O'Donnell moved to postpone the consideration of said bill until the 4th day of July next.

The President put the question whether the Senate would agree to said motion to postpone, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	
Folger					16

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Pierce	
Beach	Creamer	Graham	Nichols	Tweed	
Bradley	Edwards	Hubbard	Norton		14

Mr. O'Donnell moved to reconsider the vote just taken.

Mr. Creamer moved to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Pierce	
Beach	Creamer	Graham	Nichols	Tweed	
Bradley	Edwards	Hubbard	Norton		14

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	
Folger					16

Mr. Creamer moved to lay the motion to reconsider upon the table until to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Pierce	
Beach	Creamer	Graham	Nichols	Tweed	
Bradley	Edwards	Hubbard	Norton		14

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	
Folger					16

Mr. Creamer moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Hubbard	Norton	
Beach	Creamer	Graham	Nichols	Tweed	
Bradley					11

FOR THE NEGATIVE.

Campbell	Folger	Mattoon	Palmer	Thayer	
Chapman	Hale	Morgan	Parker	Van Petten	
Crowley	Humphrey	Nicks	Stanford	Williams	
Edwards	Kennedy	O'Donnell			18

Mr. Bradley moved to lay the motion to reconsider upon the table until to-morrow at half-past 1 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce	
Bradley	Graham	Morris	Norton	Tweed	
Cauldwell					11

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Hale	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Edwards	Mattoon				17

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed

15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

Mr. Pierce, from the same committee, reported in favor of the passage of the second named bill, without amendment.

Mr. Nichols renewed the amendment offered by him in committee of the whole, as follows:

Strike out in section 2, as follows:

"§ 2. For all sums appropriated under this act the Auditor of the Canal Department shall draw his warrant on the Treasurer, and the Treasurer shall pay, by check, on such bank as the warrant shall designate."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed

15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Mattoon	O'Donnell	Stanford	Williams
Folger				

16

Mr. Nichols renewed the amendment offered by him to strike out the third section thereof.

Mr. Stanford moved to amend by substituting the amendment offered by him in committee of the whole, as follows:

"§ 3. The act entitled 'An act to provide for the letting of certain canal repairs by contract, passed April 15, 1854;' also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14th, 1857, passed April 23d, 1867," are hereby repealed, except so far as hereinafter provided.

"§ 4. All contracts entered into by the Contracting Board for the repairs of the canals, and dated before the 1st day of December, 1866, shall not be affected by this act, except as herein provided, and shall expire by their own limitation, and shall not thereafter be renewed or continued under any pretense whatever; and the repeal of the acts in the first section mentioned shall in no respect be held to invalidate the said contracts, or discharge any of the contractors from the duties and obligations imposed by the said contracts or the said acts, or any other law of this State, and the right of the said contractors to receive from the State any pecuniary compensation, or other relief under said contracts, shall not be affected thereby.

"§ 5. Any person or persons who may hold any of said unexpired contracts at the date of the passage of this act, and who shall have faithfully performed the terms and conditions thereof up to that time, may surrender said contract or contracts to the Canal Board with the same legal effect in all respects, as if said contract or contracts had expired by their own limitation.

"§ 6. Any contractor or contractors who shall have or hold any contract for the repairs of the canals of this State, made and entered into with the Contracting Board, and dated since the 1st day of December, 1866, shall surrender and deliver up the same, to be canceled without any claim for prospective damages, or any other damages and compensation, except to be paid for labor and services performed under such contract up to the time of its surrender and cancellation, and also a full and fair compensation for the tools, materials and implements necessarily procured for the purpose of fulfilling such contracts by such contractors, and on hand when said contract is canceled, which shall be contained and provided for in said contracts. But nothing herein contained shall be held or construed to affect any legal proceedings which may have been or shall be taken by the Attorney-General against any of said contractors.

"§ 7. In all cases where the contracts for the repairs and maintenance of the canals shall expire, be abandoned, or be delivered up and canceled according to the provisions of this act, or in any other manner, the Canal Commissioner shall take charge of the section embraced in such contract, and make the repairs necessary to maintain navigation, in the manner provided by law.

"§ 8. The Canal Commissioner in charge of each division of the canals shall annually appoint a deputy on his division who shall be subject to removal by the said Commissioner. The compensation of the deputy shall be fixed by the Canal Board, and shall not exceed the sum of three thousand dollars per annum, and the necessary and actual traveling expenses while in the discharge of his duties, which expenses shall be verified by affidavit. The said Canal Commissioner shall also annually appoint so many Superintendents as he shall deem necessary, not exceeding ten, subject to removal by him, whose powers and duties shall be the same as heretofore imposed by law on superintendents of repairs, except as herein otherwise provided. The compensation of said superintendents to be fixed by the Canal Board, and shall not exceed the sum of fifteen hundred dollars per annum.

"§ 9. The superintendents of repairs shall not make any payments for labor, material, tools and implements, or any other matter or thing had, or used for the repairs of the canals, but shall make up their vouchers therefor, at the close of each month, and, when approved by the Canal Commissioner, shall notify the Auditor of the Canal Department of the amount thereof, by items; and no payment shall be made for any charge or expense incurred for repairs, except as hereinafter provided.

"§ 10. The Commissioner of the Canal Fund shall, from time to time, designate and appoint some suitable person, paymaster on each division of the canals, whose duty it shall be, once in each month, to visit his division, and pay all claims, accounts and vouchers for labor actually performed for repairs on the canals that shall have been duly sworn to by the foreman, certified by the superintendent, approved by the Canal Commissioner and audited by the Auditor of the Canal Department. Also all claims, accounts and vouchers for material furnished for the repairs of the canals that shall have been certified to by the Superintend-

ent, approved by the Canal Commissioner and audited by the Auditor of the Canal Department. The said vouchers shall be filed in the office of the Auditor of the Canal Department, there to remain on record. And the Auditor shall cause the publication once each month, in the State paper, the amount of material and cost price thereof, purchased the preceding month for use upon the canals. And each of the said paymasters is hereby authorized to draw upon the Auditor of the Canal Department for the moneys necessary to pay the claims, accounts and vouchers in this section mentioned.

"§ 11. Each of the said paymasters shall execute and file in the Canal Department a bond to the people of this State, conditioned for the faithful performance of his duty, and also for the faithful expenditure and payment of the moneys which shall be intrusted to him, in such penalty as the Commissioners of the Canal Fund shall direct, and with such sureties as the Auditor may approve. The Commissioners of the Canal Fund shall have power to fix the salary and compensation of each of the said paymasters, which shall not exceed two thousand dollars per annum.

"§ 12. So much of all laws or parts of laws as conflict with the provisions of this act, or authorize the letting of the repairs of the canals by contract, shall be and the same are hereby repealed, but the repeal of any former law, which in terms abolish any then existing office, whose appointment was vested in the Canal Board or the Contracting Board, shall not be deemed and taken to revive such office, or the power to make any appointments thereto.

"§ 13. Whenever any contractor shall deliver up and surrender his contract to be canceled under the provisions of this act, and the same shall be accepted by the Canal Board, after the full performance of the conditions thereof, such contractor shall be entitled to receive from the Canal Commissioner in charge a draft upon the Auditor for the amount of the money deposited as security for the performance thereof, together with the interest thereon, and also a draft for the sum or sums that would be due to the contractor if this act had not been passed, and the said contract had not been canceled.

"§ 14. Nothing contained in this act shall be held or construed to affect any action now pending, or any right of action now existing, nor any power conferred upon the Attorney-General, to bring actions upon or concerning any contract for canal repairs, or any action brought by him and now pending.

"§ 15. All laws or parts of laws authorizing the appointment of Superintendents for the canals of this State, other than as herein provided, are hereby repealed.

"§ 16. Any Superintendent, Engineer, Foreman, Contractor, or other person, who shall make any receipt, voucher, estimate or statement, false in fact with respect to the quantity, kind or quality of any materials bought or sold, or work done, or labor performed, in and about the business of repairing or maintaining any of the canals of this State, with the intent thereby to defraud the State, or any person holding office under the laws of this State, who, except in payment of his legal salary, fees or perquisites, receives or consents to receive, directly or indirectly, anything of value or of personal advantage, or the promise thereof, for performing or omitting to perform, any official act, or with the express or implied understanding that his official action, or omission to act is to be, in any degree, influenced thereby, shall be deemed guilty of a felony, and on conviction shall be punished by imprisonment in a State prison for a

term not exceeding five years, or by a fine not exceeding five thousand dollars, or both, in the discretion of the court.

"§ 17. Whenever any Canal Commissioner shall be suspended or disabled from executing the duties of his office, the remaining Commissioners shall for the time being take charge of the division in charge of said Commissioner at the time said suspension or disability occurred, and perform all the duties of said suspended or disabled Commissioner.

"§ 18. This act shall take effect immediately."

The President put the question whether the Senate would agree to said motion of Mr. Stanford, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Nichols	Van Petten
Beach	Folger	Morris	Stanford	Williams
Crowley	Graham	Murphy	Thayer	14

FOR THE NEGATIVE.

Bradley	Creamer	Kennedy	Nicks	Palmer
Campbell	Genet	Mattoon	Norton	Parker
Cauldwell	Hubbard	Morgan	O'Donnell	Tweed
Chapman	Humphrey			17

The President then put the question whether the Senate would agree to said motion of Mr. Nichols to strike out the third section, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed
				15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			17

The President then put then question whether the Senate would agree to the report of the committee of the whole, upon said entitled bill, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Pierce, from the same committee, reported in favor of the passage of the third named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Folger moved to recommit said bill to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was recommitment the Assembly bill entitled "An act authorizing and requiring the town of Olean, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was referred

the Assembly bill entitled "An act to facilitate the extension of the Schoharie Valley railroad," reported in favor of the passage of the same with amendments.

On motion of Mr. Hubbard and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release and convey the interest of the people of the State of New York in certain real estate in the city and county of New York, to Arthur Dougherty, William Dougherty, Catharine Dougherty and Mary Dougherty, heirs of Unatha Dougherty, deceased," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of the heirs and personal representatives of James D. Shuler, deceased, conferring jurisdiction on the Canal Appraisers to hear and determine their claims for compensation for lands appropriated to the construction and enlargement of the Erie canal," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent the rules were suspended, and said bill was ordered to a third reading.

Mr. Hale, from the committee on claims, to which was recommended the Assembly bill entitled "An act for the relief of John C. Blaisdell and others," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Palmer offered the following:

Resolved, (if the Assembly concur,) That fifteen hundred copies of the State Agricultural Society for 1868 be printed for the use of the said Society; fifteen copies for each member, officer and reporter of the Legislature; twenty copies for county agricultural societies in counties electing one member of Assembly, and a proportionate number in counties electing more than one member of Assembly; ten copies for each town and union agricultural society, and fifty copies for the Regents of the University; and that said report be bound in the same manner as last year, and be distributed as above provided without delay.

Ordered, That said resolution be laid on the table.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act in relation to interest on judgments, and for other purposes,' passed May 7th, 1844," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act to amend section 7 of article 1st, title 3, chapter 1st, part 4th of the Revised Statutes; said article being entitled 'Of Arson,'" with a message that they had concurred in the passage thereof with the following amendment:

Section 1, line 6, engrossed bill, after the word "same" insert the following: "or any building of the character in this title mentioned in the process of erection or construction."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Stanford
Beach	Crowley	Hubbard	Nicks	Thayer
Bradley	Edwards	Kennedy	Palmer	Tweed
Campbell	Folger	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts," passed May 16th, 1837," with a message that they had concurred in the passage thereof with the following amendment:

Add at the end of section 1, the following:

"Provided the surrogate of any county in this State had jurisdiction to grant such letters of administration."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	O'Donnell	Thayer
Bradley	Folger	Kennedy	Palmer	Tweed
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to refer to the Canal Board the claim of Edward H. Edwards," with a message that they had concurred in the passage thereof with the following amendments:

Strike out section 2, and change section 3 to section 2.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Parker
Beach	Crowley	Hale	Morris	Tweed
Bradley	Edwards	Hubbard	Nicks	Van Petten
Campbell	Folger	Kennedy	O'Donnell	Williams
Cauldwell	Genet	Mattoon	Palmer	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to divide the district designated by the act entitled 'An act to promote the public health in the town of New Utrecht, in the county of Kings,' passed April 13th, 1859, and to provide for the draining of the ponds and other places in such districts," with a message that they had concurred in the passage thereof with the following amendment:

Section 2, line 25, printed bill, strike out after the word "beginning" the remainder of the section.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Norton	Thayer
Beach	Crowley	Mattoon	Palmer	Tweed
Bradley	Edwards	Morgan	Parker	Van Petten
Campbell	Folger	Morris	Pierce	Williams
Cauldwell	Hubbard	Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to confirm the official acts of the boards of supervisors of the counties of Westchester and New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate the Ulster County Real Estate and Public House Company," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to regulate the salaries of the supervisors of the county of Kings," reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

On motion of Mr. Crowley and by unanimous consent the rules were suspended, and the bill entitled "An act to authorize the construction of a railroad through Twenty-third street, in the city of New York," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Graham and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend the charter of Port Jervis, county of Orange;" also the Assembly bill "to change the name of the Methodist Episcopal Church of Port Jervis," were recommitted to the committee on charitable and religious societies, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act providing for the construction of a canal in the town of New Utrecht, in the county of Kings and State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of Geo. Devitt, in the town of Waterford, county of Saratoga," with power to report complete, reported the same complete.

Mr. Mattoon moved to recommit said bill to the committee on canals.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Stanford moved to take from the table the motion to agree to the report of the committee on the judiciary adverse to the bill entitled "An act to provide for a town hall and library at Saratoga Springs."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Stanford moved to disagree with the report of the committee, and refer said bill to the committee of the whole.

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Van Petten	Williams	
Crowley	Genet	Nichols			8

FOR THE NEGATIVE.

Beach	Graham	Morgan	O'Donnell	Stanford	
Chapman	Hale	Morris	Palmer	Thayer	
Creamer	Hubbard	Norton	Pierce	Tweed	
Edwards					16

The President then put the question whether the Senate would agree to said motion of Mr. Stanford, to refer said bill to the committee of the whole, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Hubbard	Humphrey	Palmer	Parker	Stanford	5
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FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Norton	
Beach	Crowley	Kennedy	Murphy	Pierce	
Campbell	Edwards	Mattoon	Nichols	Thayer	
Cauldwell	Folger	Morgan	Nicks	Williams	
Chapman	Genet				22

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act changing the name of the First Methodist Episcopal Church of Port Jervis, New York, to the Drew Centennial Methodist Church of Port Jervis, N. Y.,' " with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of Port Jervis, in the county of Orange, passed March 30th, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the bill entitled "An act to authorize the construction of a railroad through Twenty-third street, in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to facilitate the formation of corpora-

tions under general laws, and to amend the laws relating thereto, and to permit corporations to change their names," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Senator Williams stated his dissent from said report.

Mr. Humphrey, from a majority of the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the repayment of money illegally collected by the health commissioners of the city of New York and others, under the authority of law," reported adversely thereto, which report was agreed to and said bill rejected.

On motion of Mr. Morris and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low lands, and for draining farm lands," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Morris and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to extend the powers of boards of supervisors, except in the counties of New York and Kings," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the Ulster County Real Estate and Public House Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly sent for concurrence a resolution, as follows:

IN ASSEMBLY, May 7, 1869.

Resolved, (if the Senate concur,) That this Legislature adjourn *sine die*, on Saturday the 8th inst., at 11 o'clock P. M.

Ordered, That said resolution be laid on the table.

Also the following:

Resolved, (if the Senate concur,) That the conference committee upon the supply bill be authorized to amend that portion of said bill relative to compensation of deputy clerks of the Senate and Assembly, in such particulars as they may deem just and reasonable; and also that portion of said bill relating to William L. Wallace, Assistant Postmaster of the Assembly.

Ordered, That said resolution be laid on the table.

Mr. Cauldwell offered the following:

Resolved, (if the Assembly concur,) That a respectful message be sent to the Governor requesting the return of Senate bill 271, entitled "An act in relation to the receiver of taxes and assessments for the town and village of Yonkers," for the purpose of correcting a clerical error.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and said resolution was adopted.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Henry,' passed May 1, 1869," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Thayer
Campbell	Edwards	Humphrey	Norton	Tweed
Cauldwell	Folger	Kennedy	Palmer	Van Petten
Chapman	Graham	Morgan	Parker	Williams
Creamer	Hale	Morris		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto :

"An act to further amend an act entitled 'An act to provide for the widening of Fourth avenue, in the city of Brooklyn, and to establish a public drive and promenade on said avenue.'"

"An act to amend the charter, and to confer additional powers upon the trustees of the village of Jamaica."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly sent for concurrence the bills entitled as follows :

"An act to provide for the appointment of additional inspectors and measurers of lumber and timber, and of boats and their cargoes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to alter the map or plan of the city of New York, and to carry the alterations into effect," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,' passed May 13, 1865, and the act amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 89, of article 2, of title 2, of chapter 1, of part 2 of the Revised Statutes, relative to trustees and their removal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills :

"An act to authorize the change of course of Westville creek in the towns of Middlefield and Westford, Otsego county."

"An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county."

"An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to incorporate the First National Savings Bank of Lowville."

"An act for the relief of John Edwards."

"An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate :

"An act to amend an act entitled 'An act in relation to the appointment of two stenographers and an interpreter to the marine court of the city of New York,' passed April 25, 1867."

"An act to incorporate the city of Watertown."

"An act to authorize the board of supervisors of the county of Kings to equalize the salaries of the several judicial officers in said county."

"An act to incorporate 'The German Loan and Trust Company of Brooklyn.'"

"An act to authorize the 'South Side Railroad Company of Long Island' to build one or more branches from its main track to Newtown creek, and to operate its road with an improved steam dummy, within the city of Brooklyn."

"An act to amend an act entitled 'An act to incorporate the Harlem River and Port Chester Railroad Company.'"

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had concurred in the passage of the same without amendment :

"An act to incorporate 'The New York Seamen's Association.'"

"An act to authorize the Newark Cemetery Association in the village of Newark, Wayne county, to take the care of and control the old burying ground in said village, adjoining the cemetery ground of said association."

"An act to amend the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act to enable the board of public instruction in the city of Albany to obtain sites for school houses."

"An act to amend an act entitled 'An act for the incorporation of the New York Harmonic Society,' passed April 16, 1857."

"An act to incorporate the Hillsdale Union Hall Company."

"An act to restore the channel of the Oswego river, at the city of Oswego, to its capacity before the enlargement of the Oswego canal."

"An act authorizing the raising of money to build and maintain a bridge across Byram river at East Port Chester, in the county of Westchester."

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank, passed April 15th, 1857, and revived by an act passed April 20th, 1867.'"

"An act to revive and continue in force an act entitled 'An act to establish a steam ferry between the city of Brooklyn and Mott Haven, in Westchester county,' passed May 13th, 1865, and an act amending the same, passed May 11, 1867."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to authorize the town of Dunkirk to construct a gravel, stone or macadamized road from Lake Erie, in the village of Dunkirk, to the town line of the town of Dunkirk,' passed April 30, 1864.'"

"An act to incorporate the Morrisania Waterworks Company in the county of Westchester."

"An act to widen and improve Ninth avenue and Fifteenth street in the city of Brooklyn."

"An act relating to the House of Mercy, New York."

"An act to lay out, open, extend and work a certain highway in the

town of West Farms, in the county of Westchester, known as Madison avenue."

"An act to increase the salaries of the judges of the Court of Appeals and of the justices of the Supreme Court hereafter to be elected, of the Clerk of the Court of Appeals and of the Reporter of that Court."

"An act to incorporate the Harlem Yacht Club."

"An act to incorporate the Middletown and Wurtsboro' Turnpike Company, and to confirm the sale made by the Middletown and Bloomingburgh Plankroad Company to George L. Denton."

"An act with reference to mortgages by corporations organized under the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed Feb. 17, 1868, and the acts amending or extending the same."

"An act to authorize the Clipper Mower and Reaper Company to increase their capital stock by an issue of preferred stock, and to mortgage the real property of said company to secure said preferred stock."

"An act to provide for enforcing the liens of innkeepers, boarding house keepers, mechanics, workmen or bailees, upon chattel property."

"An act to incorporate the Brooklyn Young Men's Christian Association."

"An act to incorporate the United States Railroad Conductors' Life Insurance Company."

"An act to provide for the correction of errors in the equalization of the assessments in the county of Columbia, as made by the board of supervisors."

"An act to amend an act entitled 'An act relative to the Albany railway.'"

"An act relative to lands devised by Thomas O'Brien, deceased."

"An act for the relief of Eliza McBrair Sanderson and others."

"An act releasing to the owners of adjoining lands parts of certain streets in the south village of Black Rock."

"An act to provide for the completion of Atlantic avenue, in the city of Brooklyn, and for the collection of the expenses of the same as provided by law."

"An act to amend 'An act to increase the compensation of the justices of the sessions, in the county of Kings,' passed April 11, 1866."

"An act to legalize the acts and proceedings of Elias W. Payne, as justice of the peace of the town of Shelter Island, county of Suffolk."

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond."

"An act to incorporate the Albany Board of Lumber Dealers."

"An act to change the name of the 'Second Free Methodist Church of Buffalo.'"

"An act prohibiting the board of commissioners of excise in the counties of Allegany and Cattaraugus from granting licenses to sell strong and spirituous liquors and wines upon the Allegany and Cattaraugus Indian reservations in this State."

"An act to lay out, extend and grade Fairmount avenue, in the town of West Farms, in the county of Westchester."

"An act to authorize the Mariposa Company to issue a first preferred stock."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester,' passed May 8, 1868."

"An act for the relief of John Edwards."

"An act to incorporate the First National Savings Bank of Lowville."

"An act to authorize Sarah O'Brien, widow of Michael P. O'Brien, late county clerk of Richmond county, to complete the indices of records of said county."

"An act to amend an act entitled 'An act to condense and amend the several acts relating to the village of Albion,' passed April 1, 1842."

"An act to authorize the change of course of Westville creek, in the towns of Middlefield and Westford, Otsego county."

"An act to incorporate the Greenburgh Savings Bank of the town of Greenburgh, Westchester county."

"An act supplementary to an act entitled 'An act to incorporate the village of McGrawville, Cortland county,' passed May 1, 1869."

"An act in relation to the Brooklyn Eclectic Dispensary."

"An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the 1st day of October, 1869; and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution."

The Assembly returned the following entitled bills:

"An act to incorporate The Fidelity Safe Deposit Company of the city of New York."

"An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery, in the county of Orange,' passed February 17, 1810, and the several acts amendatory thereof."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the Assembly bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," with a message that they had agreed to the report of the conference committee thereon, except as to the items for compensation of Cornelius W. Armstrong, Walter A. Cook and William S. Parkhurst, and also except the item for payment of Robert Christie for counsel fees and disbursements; that they consent to a new committee of conference, and have appointed as such committee on the part of the Assembly, Messrs. Husted, Selkreg, Hayt, Hitchman and A. W. Smith.

On motion of M. Norton, the Senate adjourned.

SATURDAY, MAY 8, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Parker, from the committee on railroads, to which was recommit-
ted the Assembly bill entitled "An act to facilitate the extension of the Schoharie Valley railroad," with power to report complete, reported the

same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Morris, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to extend the powers of boards of supervisors, except in the counties of New York and Kings," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Morris, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to incorporate the Staten Island Bridge Company," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to amend the charter of the Rexford Flats Bridge Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Cauldwell and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to confirm the official acts of the boards of supervisors of the counties of Westchester and New York," was recommended to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommended the Assembly bill entitled "An act to regulate the salaries of the supervisors of the county of Kings," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the protection of the public health in the town of Watervliet,' passed April 7, 1866," reported adversely thereto.

Mr. Banks moved to disagree with the report of the committee, and to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	O'Donnell	Thayer	
Chapman	Humphrey	Morris	Parker	Van Petten	
Crowley	Mattoon	Nicks	Pierce	Williams	15

FOR THE NEGATIVE.

Banks	Genet	Hale	Stanford	Tweed	
Creamer	Graham	Kennedy			8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to reappropriate moneys for paying awards made by Canal Appraisers in 1866; for paying the expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal."

"An act to authorize the construction of a railroad through Twenty-third street, in the city of New York."

Mr. Thayer, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the appointment of additional inspectors and measurers of lumber and timber, and of boats and their cargoes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,' passed May 13th, 1865, and the act amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of Henry Larry to Henry Baker," reported adversely thereto, which report was agreed to and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the select committee of nine, reported the following entitled bills complete:

"An act to incorporate the Williamsburgh Safe Deposit Company."

"An act to incorporate the Metropolitan Guaranty and Indemnity Company."

Amend the title by striking out "Guaranty and."

"An act to incorporate the Ship Owners' Association of the State of New York."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of Port Henry,' passed May 1, 1869."

Also as correctly re-engrossed:

"An act to refer to the Canal Board the claim of Edward H. Edwards."

"An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837."

The Assembly returned the bill entitled "An act to provide for the safe custody and care of insane criminals," with a message that they had consented to a committee of conference thereon, and appointed as such committee on the part of the House, Messrs. Miller, Walker, S. Mitchell, Kiernan and Avery.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," with a message that they had consented to a new committee of conference thereon, and had appointed as such committee on the part of

the Assembly, Messrs. Hixson, Gleason, Butterfield, Moseley and Summers.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," with a message that they had consented to a committee of conference thereon, and had appointed as such committee on the part of the House, Messrs. Tuttle, Glenn, Bender, Bradstreet and Dyckman.

The Assembly returned the bill entitled "An act to incorporate the Schenectady Waterworks Company," with a message that they had consented to a committee of conference thereon, and had appointed as such committee on the part of the Assembly, Messrs. Barker, Richmond, Bender, Husted and Stevens.

The Assembly returned the bill entitled "An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same," with a message that they consent to the appointment of a committee of conference, and have appointed as such committee Messrs. Bamler, Bender, Cameron, Lyon and Barse.

The Assembly returned the bill entitled "An act in relation to the Board of State Commissioners of Public Charities," with a message that they had consented to a committee of conference thereon, and had appointed as such committee on their part, Messrs. Cook, Gould, Berry, Patrick and Stevens.

The Assembly returned the concurrent resolution relative to the National Cemetery at Gettysburgh, with a message that they had concurred in the passage of the same without amendment.

The Assembly bill entitled "An act to prevent nuisances near public schools," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Thayer
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Morris	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley, from the committee on municipal affairs, reported in favor of the passage of the Assembly bill entitled "An act to alter the map or plan of the city of New York, and to carry the same into effect."

By unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Stanford
Beach	Edwards	Kennedy	Nicks	Tweed
Bradley	Genet	Mattoon	Parker	Van Petten

Campbell	Hubbard	Morgan	Pierce	Williams	21
Cauldwell					

FOR THE NEGATIVE.

Chapman	Thayer	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to reappropriate moneys for paying awards made by Canal Appraisers in 1866; for paying the expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford	
Beach	Genet	Humphrey	Nicks	Thayer	
Bradley	Graham	Kennedy	O'Donnell	Van Petten	
Campbell	Hale	Mattoon	Parker	Williams	21
Creamer					

FOR THE NEGATIVE.

Chapman	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to lay out, open and improve a public highway or avenue from Prospect park, in the city of Brooklyn, to Coney Island, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce	
Bradley	Folger	Humphrey	Murphy	Stanford	
Campbell	Genet	Kennedy	Nichols	Thayer	
Chapman	Graham	Mattoon	Parker	Tweed	23
Creamer	Hale	Morgan			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12th, 1859," reported in favor of the passage of the same with amendments.

On motion of Mr. Hubbard and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain public and charitable institutions," reported the same to the Senate with amendments, for its consideration.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide for taking down and re-erecting the east wall of the State arsenal building on the corner of Seventh avenue and Thirty-fifth street, in the city of New York, and for procuring additional land required for such purpose, and also for making necessary repairs to the said building, and for the construction of a magazine therein," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend chapter 513 of the Session Laws of 1868, entitled 'An act to confirm the title of certain persons to real estate questioned by reason of the alienism of former owners,' passed May 1, 1868," with power to report complete, reported the same complete with amendments.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein,' passed May 7, 1868," was recommitted to the committee on the judiciary, with power to report complete.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the due apportionment of taxes and assessments, and for the sale of real estate to pay the same,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Parker
Beach	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Murphy	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Mattson	Palmer	Tweed
Chapman				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of John C. Blaisdell, Harden Bailey and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Mattoon	Stanford
Bradley	Creamer	Hale	O'Donnell	Thayer
Campbell	Edwards	Hubbard	Palmer	Tweed
Cauldwell	Genet	Kennedy	Parker	Williams

20

FOR THE NEGATIVE.

Crowley

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Parker
Beach	Creamer	Graham	Morris	Stanford
Bradley	Crowley	Hale	Nichols	Thayer
Campbell	Edwards	Hubbard	Nicks	Tweed
Cauldwell	Folger	Kennedy	Palmer	

24

FOR THE NEGATIVE.

Murphy

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Genet and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the New Amsterdam Savings Bank, in the city of New York," was recommended to the committee on banks, with power to report complete.

The Assembly bill entitled "An act to authorize the First Universalist Society of North Salem and vicinity, and the School Society of Ridgebury, to sell certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Edwards	Kennedy	Parker
Beach	Chapman	Graham	Mattoon	Stanford
Bradley	Creamer	Hubbard	Nicks	Thayer
Campbell	Crowley	Humphrey	Palmer	

19

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Ulster County Real Estate and Public House Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Mattoon	Palmer
Beach	Creamer	Graham	Morgan	Parker
Campbell	Crowley	Hubbard	Nicks	Stanford
Cauldwell	Edwards	Humphrey		

16

FOR THE NEGATIVE.

Folger	Hale	
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled "An act to change the name of the First Methodist Episcopal Church of Port Jervis, New York, to the Drew Methodist Episcopal Church of Port Jervis, New York," passed March 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Kennedy	Nicks
Beach	Crowley	Hale	Mattoon	Palmer
Chapman	Edwards	Hubbard	Morgan	Parker
Cauldwell	Folger	Humphrey	Morris	Stanford
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hale, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of George Devitt, in the town of Waterford, county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Thayer
Beach	Creamer	Kennedy	Palmer	Tweed
Bradley	Crowley	Mattoon	Parker	Van Petten
Campbell	Graham	Morgan	Stanford	Williams
Cauldwell				

21

FOR THE NEGATIVE.

Folger	Hale	Morris	Nicks	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the village of Port Jervis, in the county of Orange, passed March 30, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Morris	Pierce	
Bradley	Folger	Kennedy	Nichols	Stanford	
Campbell	Graham	Mattoon	Palmer	Thayer	
Cauldwell	Hale	Morgan	Parker	Tweed	
Chapman	Hubbard				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing and requiring the town of Olean, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Thayer	
Beach	Creamer	Hale	Morris	Tweed	
Bradley	Edwards	Hubbard	Parker	Van Petten	
Campbell	Genet	Humphrey	Stanford	Williams	
Cauldwell					21

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Staten Island Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Stanford
Beach	Edwards	Humphrey	Palmer	Thayer
Bradley	Genet	Kennedy	Parker	Tweed
Cauldwell	Graham	Mattoon	Pierce	

FOR THE NEGATIVE.

Chapman Folger O'Donnell 3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of the heirs and personal representatives of James D. Shuler, deceased, conferring jurisdiction on the Canal Appraisers to hear and determine their claims for compensation for lands appropriated to the construction and enlargement of the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nichols	Stanford
Beach	Crowley	Hale	Nicks	Thayer
Bradley	Edwards	Hubbard	Palmer	Tweed
Campbell	Folger	Mattoon	Parker	Van Petten
Cauldwell	Genet	Morris	Pierce	Williams
Chapman				

26

FOR THE NEGATIVE.

Humphrey 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the consolidation of certain railroad companies," having been announced for a third reading,

On motion of Mr. Murphy and by unanimous consent the amendment to said bill as to the New York Central railroad was amended, by inserting before the word "passengers" the word "way."

Mr. Palmer moved to recommit said bill to the committee on railroads, with instructions to insert the following :

"But the number of shares of capital stock and the amount or par value shall not be greater than the actual value of the shares of the several companies consolidated under this act, and shall not be increased save in accordance with law."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Campbell	Hale	Murphy	Palmer	Stanford
Chapman	Humphrey	Nichols	Parker	Thayer
Edwards	Morgan	O'Donnell		

13

FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Tweed
Beach	Crowley	Hubbard	Nicks	Van Petten
Bradley	Folger	Kennedy	Norton	Williams
Cauldwell	Genet	Mattoon	Pierce	

19

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Pierce
Beach	Genet	Humphrey	Nichols	Thayer
Bradley	Graham	Mattoon	Norton	Tweed
Cauldwell	Hale	Morris	Palmer	Van Petten
Creamer				21

FOR THE NEGATIVE.

Campbell	Folger	Morgan	O'Donnell	Stanford
Chapman	Kennedy	Nicks	Parker	Williams
Crowley				11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act authorizing the increase of the stock of the New York Central Railroad Company," having been announced for a third reading,

On motion of Mr Nichols and by unanimous consent the amendment offered by him in committee of the whole and adopted was stricken out, in the words following:

"Provided, however, that no portion of such increase of capital stock shall be used and issued in exchange for said interest certificates, to holders thereof, for a larger sum than the amount of capital stock of said company as it existed on the 18th day of December, 1868, owned, bona fide, by such holders of interest certificates, at the time of such exchange, entitles him to recover."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy	Thayer
Bradley	Genet	Humphrey	Nichols	Tweed
Cauldwell	Graham	Mattoon	Norton	Van Petten
Creamer	Hale	Morris	Pierce	Williams
				20

FOR THE NEGATIVE.

Banks	Crowley	Morgan	O'Donnell	Parker
Campbell	Folger	Nicks	Palmer	Stanford
Chapman	Kennedy			12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Cauldwell moved to take from the table the motion to reconsider the vote upon the bill entitled "An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain Underground Railway in the city of New York,' passed April 17, 1868."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer
Cauldwell	Graham	Murphy	Parker	Tweed

Chapman	Hale	Nichols	Pierce	Van Petten	
Edwards	Hubbard	O'Donnell	Stanford		19

FOR THE NEGATIVE.

Banks	Creamer	Genet	Mattoon	Morris	
Bradley					8

The President then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	O'Donnell	Stanford	
Cauldwell	Folger	Morgan	Palmer	Thayer	
Chapman	Graham	Murphy	Parker	Tweed	
Creamer	Hale	Nichols	Pierce	Van Petten	20

FOR THE NEGATIVE.

Banks	Bradley	Genet	Mattoon	Morris	
Beach	Crowley	Kennedy			8

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Murphy	Parker	Tweed	
Cauldwell	Hubbard	Nichols	Pierce	Van Petten	
Folger	Kennedy	O'Donnell	Stanford	Williams	
Graham	Morgan	Palmer	Thayer		19

FOR THE NEGATIVE.

Banks	Bradley	Edwards	Morris	Norton	
Beach	Creamer	Mattoon			8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. O'Donnell, from a majority of the committee on finance, to which was recommitted the Assembly bill entitled "An act making appropriations for certain public and charitable institutions," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Said bill having been announced for a third reading,

On motion of Mr. Murphy and by unanimous consent said bill was amended, as follows:

"Father Matthew Total Abstinence Benevolent Society No. 1, of South Brooklyn, \$5,000, to be taken from that portion of the Metropolitan Excise Fund derived from the city of Brooklyn."

"For the Brooklyn Roman Catholic Orphan Asylum, \$5,000, to be taken from that portion of the Metropolitan Excise Fund derived from the city of Brooklyn."

Mr. Genet moved to recommit with instructions to amend, as follows:

"For the Manhattan Dispensary in the city of New York, \$1,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Norton moved to recommit with instructions to amend, as follows:

"For the Sisters Hospital in Eleventh street, in the city of New York, \$1,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer moved to recommit with instructions to amend, as follows:

"For the poor house on Capitol hill, at Albany, to pay the expense of the inmates thereof during the winter of 1868 and '69, \$100."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved to recommit with instructions to amend, as follows:

"For the Ontario County Orphan Asylum, \$5,000, to pay off its indebtedness."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Campbell moved to recommit with instructions to amend, as follows:

"The sum of \$5,000 in aid of the Old Women's Home, in the City of Utica, to complete their building, on condition that \$40,000 be raised for the same purpose by the citizens of that locality."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks moved to recommit with instructions to amend, as follows:

"The Orphan Home at Elmira, \$5,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattoon moved to recommit with instructions to amend, as follows:

"For the Oswego City Orphan Asylum, to assist in building additional buildings for school purposes, \$3,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell moved to recommit with instructions to amend, as follows:

"The Insane Asylum of Lewis county, \$5,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Williams moved to recommit with instructions to amend, as follows:

"For the support of the insane poor in Wayne county, to be paid to the overseers of the poor of said county, \$5,000."

Mr. Thayer moved to recommit with instructions to amend, as follows:

"\$2,500 to the Troy Orphan Asylum of Troy."

"\$2,500 to the Troy Catholic Orphan Asylum."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy moved to recommit with instructions to amend, as follows:

"Syracuse Home Association, The Onondaga County Orphan Asylum, St. Vincent De Paul Orphan Asylum in Syracuse, Christian Brothers in Syracuse, each \$2,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Banks moved to recommit with instructions to amend, as follows:

\$5,000 to the Home of the Friendless of Albany."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Bradley	Hale	O'Donnell	Tweed	
Beach	Graham	Hubbard	Thayer		9

FOR THE NEGATIVE.

Crowley	Humphrey	Murphy	Palmer	Van Petten	
Folger	Mattoon	Nichols	Parker	Williams	
Genet	Morris	Nicks	Stanford		14

Mr. Beach moved to recommit with instructions to amend, as follows :
 "\$1,000 in aid of the Greene county poor house, and \$1,000 in aid of the Ulster county poor house."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Graham moved to recommit with instructions to amend, as follows :

"For the Union Catholic Reform School of Sullivan county, \$2,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Morris moved to recommit with instructions to amend, as follows :

"For the Insane and Inebriate department connected with the county poor house in the counties of Chautauqua, Wyoming and Wayne, \$3,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten moved to recommit with instructions to amend by striking out :

"For the charity week-day schools of the State, to be paid on the warrant of the Comptroller, pro rata, according to the number of scholars instructed in them without charge during the last fiscal year, to be divided by the Comptroller on the 1st day of July next, on certificates duly verified by affidavit, \$50,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the motion of Mr. Nichols to recommit said bill as amended, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Bradley	Creamer	Genet		4
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FOR THE NEGATIVE.

Banks	Folger	Kennedy	Nicks	Stanford	
Campbell	Hale	Morgan	O'Donnell	Thayer	
Chapman	Hubbard	Murphy	Parker	Van Petten	
Crowley	Humphrey	Nichols	Pierce	Williams	
Edwards					21

Mr. Genet moved to recommit said bill to the committee on finance, with instructions to insert the following :

"For the Manhattanville Dispensary in the city of New York, \$1,000."

Mr. Creamer moved to amend, as follows :

"For Hospital of Sisters of St. Francis, Fifth street, New York, \$3,000, to be taken from that part of the Metropolitan Excise Fund which is derived from the city of New York."

Mr. Norton moved to amend by inserting as follows :

"For the Sisters Hospital in Eleventh street, city of New York, \$3,000, to be taken from that part of the Metropolitan Excise Fund which is derived from the city of New York."

The President put the question whether the Senate would agree to said motion of Mr. Norton, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Norton	Tweed
Bradley	Graham	Murphy	Parker	Van Petten
Creamer	Hubbard	Nichols		

13

FOR THE NEGATIVE.

Campbell	Crowley	Humphrey	O'Donnell	Thayer
Chapman	Folger	Kennedy	Stanford	

9

The President then put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Genet, as amended, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, reported back said bill with amendments, as instructed by the Senate.

Mr. Mattoon moved to recommit said bill to the committee, with instructions to insert the following:

"For the Oswego City Orphan Asylum, to assist in building additional buildings for school purposes, \$3,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, reported back said bill amended, as instructed by the Senate.

Mr. Morgan moved to recommit said bill to the committee on finance, with instructions to insert as follows:

"For the Buffalo General Hospital, \$5,000."

Also, add after "Onondaga County Orphan Asylum," "The Christian Brothers, in Syracuse."

Mr. Nicks moved to amend, as follows:

"The Orphan Home at Elmira, \$5,000."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative.

Mr. Morris moved to recommit said bill to the committee on finance, with instructions to strike out appropriation to Rochester Hospital.

The President put the question whether the Senate would agree to said motion of Mr. Morris, when the vote was as follows:

FOR THE AFFIRMATIVE.

Chapman	Folger	Kennedy	Nichols	Stanford
Creamer	Hale	Morris	Nicks	Thayer
Edwards	Humphrey			

12

FOR THE NEGATIVE.

Bradley	Graham	Norton	Parker	Van Petten
Campbell	Mattoon	O'Donnell	Tweed	Williams
Crowley	Morgan			

12

There being a tie vote, the President voted in the negative, and decided the motion lost.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds

of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Norton
Beach	Genet	Kennedy	Murphy	Pierce
Bradley	Graham	Mattoon	Nichols	Tweed
Chapman	Hale			

17

FOR THE NEGATIVE.

Campbell	Folger	Nicks	Parker	Van Petten
Crowley	Humphrey	O'Donnell	Stanford	Williams
Edwards	Morris	Palmer	Thayer	

14

Mr. Tweed moved to reconsider the vote just taken, and that said motion lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Graham	Kennedy	Nichols	Thayer
Campbell	Hale	Mattoon	Nicks	Tweed
Chapman	Hubbard	Morgan	O'Donnell	Williams

20

FOR THE NEGATIVE.

Bradley	Crowley	Murphy	Palmer	Stanford
Cauldwell	Folger	Norton	Pierce	Van Petten
Creamer	Genet			

12

The Assembly bill entitled "An act to incorporate the city of Cohoes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	Nichols	Stanford
Cauldwell	Genet	Kennedy	Nicks	Tweed
Creamer	Graham	Mattoon	O'Donnell	Van Petten
Crowley	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris	Pierce	

24

FOR THE NEGATIVE.

Bradley	
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Tweed moved that the Senate take a recess at 2 o'clock P. M. until 4 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act making appropriations for certain charitable institutions."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Humphrey	Norton	Thayer
Campbell	Folger	Kennedy	O'Donnell	Tweed
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Graham	Morgan	Parker	Williams

30

FOR THE NEGATIVE.

Morris

1

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Crowley	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Tweed
Cauldwell	Graham	Morgan	Norton	Williams
Chapman	Hale			

22

FOR THE NEGATIVE.

Campbell	Folger	Morris	Palmer	Thayer
Edwards	Humphrey	O'Donnell	Parker	Van Petten

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Tweed and by unanimous consent, the committee of the whole was discharged from the further consideration of the Assembly bill entitled "An act to provide for taking down and re-erecting the east wall of the State arsenal building on the corner of Seventh avenue and Thirty-fifth street, in the city of New York, and for procuring the additional land required for such purpose, and also for making necessary repairs to the said building, and for the construction of a magazine therein," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Stanford
Beach	Genet	Mattoon	Palmer	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Creamer	Hubbard			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate 'The New Amsterdam

Savings Bank, in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Luzerne Waterworks Company," reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

On motion of Mr. Murphy and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to repeal the act to open and improve Maspeth avenue, in the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

By unanimous consent, Mr. Creamer moved that the Senate hold an executive session at 4 o'clock P. M., for consideration of notaries public only.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate Luzerne Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act releasing the interests of the State in certain lands of which Matthew Hutchinson died possessed to John Hutchinson, his brother," reported in favor of the passage of the same, with amendments.

On motion of Mr. Edwards and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein,' passed May 7, 1868," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to authorize the New York Railroad Company to construct a certain railroad in the city and county of New York and across Harlem river."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford
Beach	Creamer	Kennedy	Palmer	Tweed
Campbell	Edwards	Mattoon	Parker	Van Petten
Cauldwell	Graham	Nichols	Pierce	Williams

FOR THE NEGATIVE.

Bradley	Folger	Norton	O'Donnell	4
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The hour of 2 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The Senate again met and went into executive session, and after some time spent therein the doors were opened and legislative business resumed.

The Assembly bill entitled "An act to amend the charter of the Rexford Flats Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morgan	Parker	Tweed
Chapman	Hubbard	Nichols	Pierce	Van Petten
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Bradley and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration and for the regulation of the Marine Hospital,' passed April 13, 1853," was recommitted to the committee on commerce and navigation, with power to report complete at any time.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to confirm the official acts of the boards of supervisors of the counties of Westchester and New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city and county of New York to Arthur Dougherty, Wm. Dougherty, Catharine Dougherty and Mary Dougherty, heirs of Martha Dougherty, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Nicks	Stanford
Bradley	Edwards	Hubbard	O'Donnell	Thayer
Campbell	Folger	Kennedy	Parker	Tweed
Cauldwell	Genet	Morgan	Pierce	Van Petten
Chapman	Graham	Nichols		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the New Amsterdam Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morris	Pierce	
Bradley	Folger	Hubbard	Nicks	Thayer	
Campbell	Genet	Kennedy	O'Donnell	Tweed	
Cauldwell	Graham	Mattoon	Parker	Van Petten	20

FOR THE NEGATIVE.

Morgan	Nichols	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Luzerne Water-works Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Pierce	
Bradley	Edwards	Hubbard	Nichols	Stanford	
Campbell	Folger	Kennedy	Nicks	Thayer	
Cauldwell	Genet	Mattoon	O'Donnell	Tweed	
Chapman	Graham	Morgan	Parker	Van Petten	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to regulate the salaries of the supervisors of the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Bradley	Genet	Kennedy	Nicks	Thayer	
Campbell	Graham	Mattoon	Parker	Tweed	
Cauldwell	Hale	Morris	Pierce		19

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to complete the High Service Water Works at Carmansville, in

the city of New York, and to provide means for the same,' passed April 3, 1867; and also, to amend an act entitled 'An act to facilitate the acquisition of lands for the extension of the Croton Aqueduct Water Works, and for the construction of impounding or storage reservoirs, in the counties of Putnam and Westchester, and to authorize the mayor, aldermen and commonalty of the city of New York to borrow three hundred thousand dollars for the purpose aforesaid,' passed April 3, 1865; and also to amend an act entitled 'An act to authorize the corporation of the city of New York to borrow further sums of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' passed April 14, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	O'Donnell	Thayer
Beach	Creamer	Hubbard	Parker	Tweed
Bradley	Edwards	Kennedy	Pierce	Van Petten
Campbell	Genet	Nichols	Stanford	

19

FOR THE NEGATIVE.

Crowley Morgan

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein,' passed May 7, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nichols	Pierce
Bradley	Graham	Morgan	Nicks	Stanford
Campbell	Hubbard	Morris	Palmer	Thayer
Creamer	Kennedy	Murphy	Parker	Van Petten
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger, from the committee on the judiciary, to which was recommitteed the Assembly bill entitled "An act releasing the interest of the State in certain lands of which Matthew Hutchinson died possessed to John Hutchinson, his brother," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on municipal affairs, to which was recommitteed the Assembly bill entitled "An act to repeal an act to open and improve Maspeth avenue, in the city of Brooklyn," with power to

report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Palmer and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," was recommitted to the committee on the judiciary, with power to report complete.

The Assembly bill entitled "An act to facilitate the extension of the Schoharie Valley railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	O'Donnell	Thayer	
Beach	Creamer	Hubbard	Parker	Tweed	
Bradley	Edwards	Mattoon	Pierce	Van Petten	
Cauldwell	Genet	Morris	Stanford		19

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Nichols	Palmer	
Crowley	Hale	Morgan	Nicks		9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Banks and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of David Harvey," reported in favor of the passage of the same with amendments.

On motion of Mr. Thayer and by unanimous consent the rules were suspended, and said bill was recommitted to the committee to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to interest on judgments, and for other purposes,' passed May 7, 1844," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Morris	Thayer
Campbell	Folger	Hubbard	Nichols	Tweed
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	Palmer	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hale, from the committee on claims, to which was recommitted the Assembly bill entitled "An act for the relief of David Harvey," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low lands, and for draining farm lands," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford
Beach	Folger	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Palmer	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris	Pierce	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the construction of a railroad through Twenty-third street, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Thayer
Beach	Creamer	Hubbard	Nicks	Tweed
Bradley	Edwards	Kennedy	Pierce	Van Petten
Cauldwell	Graham	Mattoon		

18

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Morris	Parker
Crowley				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Banks, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act to incorporate the Ship Owners' Association of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Stanford	
Beach	Edwards	Kennedy	O'Donnell	Thayer	
Bradley	Folger	Mattoon	Palmer	Tweed	
Cauldwell	Graham	Morris	Parker	Van Petten	
Creamer	Hale	Nicks	Pierce		24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend the powers of the boards of supervisors, except in the counties of New York and Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Pierce	
Bradley	Graham	Morgan	Nicks	Stanford	
Cauldwell	Hubbard	Morris	Norton	Tweed	
Creamer	Kennedy	Murphy	Palmer	Van Petten	
Crowley					21

FOR THE NEGATIVE.

Campbell	Chapman	Folger	O'Donnell	Parker	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the New York Railroad Company to construct railroads in the city and county of New York, and across the Harlem river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Palmer	Tweed	
Cauldwell	Hubbard	Morris	Pierce	Van Petten	
Creamer	Kennedy	Nichols	Stanford	Williams	
Folger	Mattoon	Nicks			18

FOR THE NEGATIVE.

Bradley	Chapman	Edwards	Murphy	O'Donnell	
Campbell	Crowley	Hale	Norton	Thayer	10

Mr. Tweed moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Beach	Edwards	Mattoon	Nicks	Thayer
Bradley	Folger	Morgan	Palmer	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Murphy	Pierce	Williams
Chapman				

26

FOR THE NEGATIVE.

Norton O'Donnell

2

Mr. Tweed moved to recommit said bill to the committee on railroads, with instructions to strike out the 11th section.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	O'Donnell	Stanford
Bradley	Graham	Morgan	Palmer	Tweed
Chapman	Hale	Murphy	Parker	Van Petten
Creamer	Hubbard	Nichols	Pierce	Williams
Crowley	Kennedy	Nicks		

23

FOR THE NEGATIVE.

Norton

1

Mr. Campbell, from the committee on railroads, reported back said bill amended, pursuant to instructions of the Senate.

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Pierce	Tweed
Beach	Graham	Morgan	Stanford	Van Petten
Cauldwell	Hubbard	Nicks	Thayer	Williams
Creamer	Kennedy	Palmer		

18

FOR THE NEGATIVE.

Bradley	Chapman	Folger	Murphy	O'Donnell
Campbell	Crowley	Hale	Norton	Parker

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of David Harvey," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Chapman	Hale	O'Donnell	Stanford	Williams
Creamer	Hubbard	Palmer	Thayer	

19

FOR THE NEGATIVE.

Morris

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Stanford
Bradley	Folger	Kennedy	Palmer	Thayer
Cauldwell	Genet	Morgan	Parker	Tweed
Creamer	Graham	Nicks	Pierce	Van Petten
Crowley	Hale			

22

FOR THE NEGATIVE.

Campbell	Chapman	Mattoon	Nichols
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Metropolitan Indemnity Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Parker	Tweed
Bradley	Genet	Kennedy	Pierce	Van Petten
Cauldwell	Graham	Mattoon	Stanford	Williams
Creamer	Hale	Nicks	Thayer	

19

FOR THE NEGATIVE.

Campbell	Crowley	Nichols	Norton	O'Donnell
Chapman	Folger			

7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Williamsburgh Safe Deposit Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nicks	Thayer
Bradley	Graham	Morgan	Parker	Tweed

Cauldwell	Hubbard	Morris	Pierce	Van Petten	
Edwards	Kennedy	Nichols	Stanford		19

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act releasing the interests of the State in certain lands of which Matthew Hutchinson died possessed to John Hutchinson, his brother," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Palmer	Thayer	
Bradley	Edwards	Hubbard	Parker	Tweed	
Campbell	Folger	Kennedy	Pierce	Van Petten	
Cauldwell	Genet	Mattoon	Stanford	Williams	
Chapman	Graham	Nicks			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to repeal the act to open and improve Maspeth avenue, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Nicks	Stanford	
Bradley	Folger	Hubbard	Palmer	Thayer	
Cauldwell	Genet	Kennedy	Parker	Tweed	
Chapman	Graham	Mattoon	Pierce	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Pierce, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Palmer	Thayer
Campbell	Folger	Kennedy	Parker	Tweed

Cauldwell	Genet	Nichols	Pieror	Van Petten
Crowley	Graham	Nicks	Stanford	Williams
				20

FOR THE NEGATIVE.

Chapman

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to confirm the acts of the board of supervisors of the county of Westchester," having been announced for a third reading,

Mr. Parker moved to recommit said bill to the committee on the judiciary, with power to report at any time.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the trustees of the village of West Troy, in the county of Albany, to raise money to pay for a sewer in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale			
				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1869," having been announced for a third reading,

Mr. Mattoon moved to recommit said bill to the committee on canals, with instructions to strike out section 3, and also section 4 to and including the word "and" in line 2.

Mr. Stanford moved to amend, to recommit with instructions to insert the following; offered by him in committee of the whole:

"§ 3. The act entitled 'An act to provide for the letting of certain canal repairs by contract, passed April 15, 1854;' also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, passed April 23, 1867," are hereby repealed, except so far as hereinafter provided.

"§ 4. All contracts entered into by the Contracting Board for the repairs of the canals, and dated before the 1st day of December, 1866, shall not be affected by this act, except as herein provided, and shall expire by their own limitation, and shall not thereafter be renewed or continued under any pretense whatever; and the repeal of the acts in the first section mentioned shall in no respect be held to invalidate the said contract, or discharge any of the contractors from the duties and

obligations imposed by the said contractors or the said acts, or any other law of this State, and the right of the said contractors to receive from the State any pecuniary compensation, or other relief under said contracts, shall not be affected hereby.

"§ 5. Any person or persons who may hold any of said unexpired contracts at the date of the passage of this act, and who shall have faithfully performed the terms and conditions thereof up to that time, may surrender said contract or contracts to the Canal Board with the same legal effect in all respects, as if said contract or contracts had expired by their own limitation.

"§ 6. Any contractor or contractors who shall have or hold any contract for the repair of the canals of this State, made and entered into with the Contracting Board, and dated since the 1st day of December, 1866, shall surrender and deliver up the same, to be canceled without any claim for the prospective damages, or any other damages and compensation, except to be paid for labor and services performed under such contract up to the time of its surrender and cancellation, and also a full and fair compensation for the tools, materials and implements necessarily procured for the purposes of fulfilling such contracts by such contractors, and on hand when said contract is canceled, which shall be contained and provided for in said contracts. But nothing herein contained shall be held or construed to affect any legal proceedings which may have been or shall be taken by the Attorney-General against any of said contractors.

"§ 7. In all cases where the contracts for the repairs and maintenance of the canals shall expire, be abandoned, or be delivered up and canceled according to the provisions of this act, or in any other manner, the Canal Commissioner shall take charge of the section embraced in such contract, and make the repairs necessary to maintain navigation, in the manner provided by law.

"§ 8. The Canal Commissioner in charge of each division of the canals shall annually appoint a deputy on his division who shall be subject to removal by the said Commissioner. The compensation of the deputy shall be fixed by the Canal Board, and shall not exceed the sum of three thousand dollars per annum, and the necessary and actual traveling expenses while in the discharge of his duties, which expenses shall be verified by affidavit. The said Canal Commissioner shall also annually appoint so many Superintendents as he shall deem necessary, not exceeding ten, subject to removal by him, whose powers and duties shall be the same as heretofore imposed by law on superintendents of repairs, except as herein otherwise provided. The compensation of said superintendents to be fixed by the Canal Board, and shall not exceed the sum of fifteen hundred dollars per annum.

"§ 9. The superintendents of repairs shall not make any payments for labor, material, tools and implements, or any other matter or thing had, or used for the repairs of the canals, but shall make up their vouchers therefor, at the close of each month, and, when approved by the Canal Commissioner, shall notify the Auditor of the Canal Department of the amount thereof, by items; and no payment shall be made for any charge or expense incurred for repairs, except as hereinafter provided.

"§ 10. The Commissioner of the Canal Fund shall, from time to time, designate and appoint some suitable person, paymaster on each division of the canals, whose duty it shall be, once in each month, to visit his division, and pay all claims, accounts and vouchers for labor actually per-

formed for repairs on the canals that shall have been duly sworn to by the foreman, certified by the superintendent, approved by the Canal Commissioner and audited by the Auditor of the Canal Department. Also all claims, accounts and vouchers for material furnished for the repairs of the canals that shall have been certified to by the Superintendent, approved by the Canal Commissioner and audited by the Auditor of the Canal Department. The said vouchers shall be filed in the office of the Auditor of the Canal Department, there to remain on record. And the Auditor shall cause the publication once each month, in the State paper, the amount of material and cost price thereof, purchased the preceding month for use upon the canals. And each of the said paymasters is hereby authorized to draw upon the Auditor of the Canal Department for the moneys necessary to pay the claims, accounts and vouchers in this section mentioned.

"§ 11. Each of the said paymasters shall execute and file in the Canal Department a bond to the people of this State, conditioned for the faithful performance of his duty, and also for the faithful expenditure and payment of the moneys which shall be intrusted to him, in such penalty as the Commissioners of the Canal Fund shall direct, and with such sureties as the Auditor may approve. The Commissioners of the Canal Fund shall have power to fix the salary and compensation of each of the said paymasters, which shall not exceed two thousand dollars per annum.

"§ 12. So much of all laws or parts of laws as conflict with the provisions of this act, or authorize the letting of the repairs of the canals by contract, shall be and the same are hereby repealed, but the repeal of any former law, which in terms abolish any then existing office, whose appointment was vested in the Canal Board or the Contracting Board, shall not be deemed and taken to revive such office, or the power to make any appointments thereto.

"§ 13. Whenever any contractor shall deliver up and surrender his contract to be canceled under the provisions of this act, and the same shall be accepted by the Canal Board, after the full performance of the conditions thereof, such contractor shall be entitled to receive from the Canal Commissioner in charge a draft upon the Auditor for the amount of the money deposited as security for the performance thereof, together with the interest thereon, and also a draft for the sum or sums that would be due to the contractor if this act had not been passed, and the said contract had not been canceled.

"§ 14. Nothing contained in this act shall be held or construed to affect any action now pending, or any right of action now existing, nor any power conferred upon the Attorney-General, to bring actions upon or concerning any contract for canal repairs, or any action brought by him and now pending.

"§ 15. All laws or parts of laws authorizing the appointment of Superintendents for the canals of this State, other than as herein provided, are hereby repealed.

"§ 16. Any Superintendent, Engineer, Foreman, Contractor, or other person, who shall make any receipt, voucher, estimate or statement, false in fact with respect to the quantity, kind or quality of any materials bought or sold, or work done, or labor performed, in and about the business of repairing or maintaining any of the canals of this State, with the intent thereby to defraud the State, or any person holding office under the laws of this State, who, except in payment of his legal salary, fees or perquisites, receives or consents to receive, directly or indirectly, any-

thing of value or of personal advantage, or the promise thereof, for performing or omitting to perform, any official act, or with the express or implied understanding that his official action, or omission to act is to be, in any degree, influenced thereby, shall be deemed guilty of a felony, and on conviction shall be punished by imprisonment in a State prison for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or both, in the discretion of the court.

“§ 17. Whenever any Canal Commissioner shall be suspended or disabled from executing the duties of his office, the remaining Commissioners shall for the time being take charge of the division in charge of said Commissioner at the time said suspension or disability occurred, and perform all the duties of said suspended or disabled Commissioner.

“§ 18. This act shall take effect immediately.”

The President put the question whether the Senate would agree to said motion of Mr. Stanford, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Hale	Stanford	Thayer	Van Petten	6
Folger					

FOR THE NEGATIVE.

Beach	Creamer	Humphrey	Murphy	Palmer	
Bradley	Edwards	Kennedy	Nichols	Parker	
Campbell	Genet	Mattoon	Nicks	Pierce	
Cauldwell	Graham	Morgan	Norton	Tweed	
Chapman	Hubbard	Morris			23

The President then put the question whether the Senate would agree to said motion of Mr. Mattoon, when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

There being a tie vote, the President voted* in the affirmative, and declared the motion carried.

Mr. Mattoon, from the committee on canals, reported back said bill amended, as instructed by the Senate.

Mr. Nichols moved that the said bill be recommitted to the committee on canals, with instructions to strike out the following:

“For all sums appropriated under this act the Auditor of the Canal Department shall draw his warrant on the Treasurer, and the Treasurer shall pay, by check, on such bank as the warrant shall designate.”

The President put the question whether the Senate would agree to said motion to recommit, when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chairman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

16

There being a tie vote, the President voted in the affirmative, and declared the motion carried.

Mr. Mattoon, from the committee on canals, reported back said bill as amended, pursuant to instructions of the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford
Beach	Edwards	Kennedy	Nichols	Tweed
Bradley	Genet	Mattoon	Norton	Van Petten
Cauldwell	Graham	Morris	Pierce	Williams
Chapman	Hale			

22

FOR THE NEGATIVE.

Campbell	Folger	Morgan	O'Donnell	Parker
Crowley	Humphrey	Nicks	Palmer	Thayer

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend chapter 380 of the Laws of 1859, entitled 'An act for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting,' passed April 15, 1859, and chapter 740 of the Laws of 1865, entitled 'An act to ascertain, by proper proofs, the citizens who shall be entitled to the right of suffrage,' passed May 13, 1865," having been announced for a third reading,

By unanimous consent, Mr. Folger moved to substitute the Assembly bill upon the same subject, being as follows:

"SECTION 1. The first meeting of the inspectors of registry and elections held for the purpose of making a register of elections, as provided in the acts hereby amended, in the city and county of New York and in the city of Brooklyn, and the first meeting for said purpose of the inspectors of election in each of the other election districts in this State in which any part of an incorporated city or village is included, shall be held on the Tuesday four weeks preceding the general election. But if at the annual election next prior to said meeting the number of votes in any election district exceeded four hundred, the inspectors in any such district shall, if necessary for the purpose of making a register of the electors of said district, have power to sit on the day following said Tuesday.

"§ 2. The registers to be made, as provided in the acts hereby amended, shall, in the city and county of New York, in the city of Brooklyn and any election district in this State in which any part of an incorporated city or village is included, each contain a list of the lawful and qualified voters in said district, so arranged as to show under each residence, by the number of the dwelling if there be a number, and under the name

of the street and other location of the dwelling place the name of each person.

"§ 3. The inspectors of registry and election in the city and county of New York, and in the city of Brooklyn, shall, for the purpose of revising and correcting the lists provided for in this act, and the acts hereby amended, meet on the Saturday two weeks preceding the day of the general election, and the Monday following said Saturday, and remain in session between the hours of eight o'clock in the morning and nine o'clock in the evening of said days and each of them. In the other election districts of the State the inspectors of election shall, for said purpose, meet on the Monday two weeks preceding the day of the general election, and remain in session from nine o'clock in the morning until seven o'clock in the evening.

"§ 4. After the register list shall have been revised, corrected and fully completed, at the times herein above provided, it shall be the duty of the inspectors of registry and election in each district in the city and county of New York, to cause six copies, and in the city of Brooklyn, five copies, of the same to be made, and to certify each of said copies to be a correct list of the voters of their district; and they shall, on the day following their last meeting, as herein above provided, to wit: on the Tuesday preceding the day of the general election, file one of said copies in the office of the county clerk, and in the city and county of New York, another with the bureau of elections in the office of the chief clerk of Metropolitan police, another of said remaining copies shall be retained by each of the said inspectors, and carefully preserved for their use on the day of election; when in each election district in the city and county of New York, and in the city of Brooklyn, two of the inspectors who shall be of different political faith and opinions shall each have the sole custody and charge, from the opening to the closing of the polls, of one of said copies for the purpose of checking such electors as being registered shall vote in the district, and no vote shall be received by either of the inspectors, or deposited in any of the ballot boxes, until the said two inspectors shall each and both have examined, found and declared the residence and name of the person offering to vote to be on said copies, when, if the vote of said person is received, each and both of said two inspectors shall check opposite the name of said voter a mark similar to a letter "V"; and any vote which shall be received by the inspectors of registry and election, or either of them, in contravention of this section, shall be void, and shall be rejected from the count in any legislative or judicial scrutiny into any result of the election, and it shall be the duty of each and both of the two inspectors, in charge of the check copies of the register, to note on said copies, and each of them, in a suitable and separate part thereof, the name and residence of the party, if any, whose vote shall be so received, and the name of the inspector or inspectors, if any, who shall so receive or deposit in the ballot boxes, or either of them, any such vote. And it shall further be the duty of each and both of the two inspectors in charge of the check copies of the register to immediately, on the close of the polls on the day of election, compare the said copies kept by them as herein provided, and certify therein in writing the same to be true copies and correctly checked, and, on or before the following day, in the city and county of New York, to file one of said copies with the bureau of elections in the office of the chief clerk of Metropolitan police, and the other in the office of the clerk of the county. And in the city of Brooklyn one of said copies shall, on or before the said fol-

lowing day, be filed with the board of supervisors, and the other with the clerk of the county of Kings. This section shall be taken and held by every judicial or other tribunal as mandatory and not directory, and each and every inspector, canvasser, poll-clerk, or clerk of any county or town, as well as the chief clerk of Metropolitan police, who shall violate any of the provisions of this act or the acts hereby amended, or shall refuse or neglect to conform thereto, or shall knowingly acquiesce in any violation thereof by an associate, deputy or assistant, or shall not take all proper and lawful steps to prevent any violation thereof by any such associate, deputy or assistant, shall be deemed guilty of a misdemeanor and liable to prosecution, and, if convicted thereof, shall be imprisoned in the penitentiary for not less than one nor more than two years, or be fined in a sum not less than three hundred nor more than one thousand dollars, or both, in the discretion of the court.

"§ 5. All registers and poll-lists, and all copies of either, which, under this act or the acts hereby amended, are required to be filed with the bureau of elections in the office of the chief clerk of Metropolitan police, or with county or town clerks, shall be carefully preserved by each and every of said officers, and shall at all times be open to public inspection, and any elector may make copies thereof without charge or fee of any kind."

Amend title so as to read :

"An act to amend an act entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage,' passed May 18, 1865, and the act amendatory thereof."

Mr. Creamer moved to amend, that said bill be recommitted to the committee on the judiciary, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

FOR THE NEGATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Cauldwell	Genet	Murphy	Norton	Tweed
Creamer	Graham			

12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received and read, in the words following :

To the Senate and Assembly :

The committee of conference upon the differences between the Senate and Assembly upon the bill entitled "An act making appropriation for

the support of government, and for supplying deficiencies in former appropriation," report that the said committee have considered the same and agreed to report thereon as follows:

Page 8, line 8, item to pay Cornelius W. Armstrong, Senate recedes.

Page 8, lines 19 and 21, item to pay Walter A. Cook, Senate recedes.

Page 16, lines 20, 21 and 22, item to pay Robert Christie, Senate recedes.

Page 8, lines 32 and 33, item to pay Willim S. Parkhurst, Senate recedes.

Page 9, lines 10 and 11, item to pay Simeon Leland & Co., restore \$6,000.

Page 21, line 1, strike out the words "from the Bank Fund." Line 7, strike out "9" and insert "1."

Page 35, line 5, insert "Francis O. Maxon" in lieu of "Lyman Congdon." Same page, same line, strike out "David D. Lefler" and insert "William A. Swady."

Page 26, line 22, Senate recedes from its amendment on item concerning the "Walker contract at Sing Sing pri-on;" and the committee recommend that the following proviso be inserted after line 34, to wit: "provided that the said contract be submitted to the Lieutenant-Governor, Attorney-General and Secretary of State to decide as to the validity of said contract, and that nothing shall be paid under this appropriation unless the said contract is decided by them, or a majority of them, to be valid."

The Assembly concurs in in the Senate amendment in the item making appropriation for the erection of the new capitol.

Page 30. The Assembly concurs in the Senate amendment in item concerning "Quarantine," (line 1, page 30.)

Senate recedes on item "to pay Henry M. Parkhurst."

JAS. W. HUSTED,

HENRY C. MURPHY,

WM. HITCHMAN,

M. HALE,

A. W. SMITH,

Senate Committee.

D. HOYT,

Assembly Committee.

IN ASSEMBLY, May 8, 1869.

Report of the committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Norton
Beach	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Kennedy	Murphy	Thayer
Campbell	Genet	Mattoon	Nichols	Tweed
Cauldwell	Graham			

22

FOR THE NEGATIVE.

Chapman	O'Donnell	Palmer	Stanford	Van Petten
Folger				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

On motion of Mr. Beach and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to provide for the transfer of certain arsenals or armories belonging to the State to the county authorities of the counties in which they are located," was recommitted to the committee on the judiciary, with power to report complete.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859," having been announced for a third reading,

Mr. Folger moved to recommit the same to the committee, with instructions to strike out all after the word "returned" in section 1.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed

15

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1858, and to provide against the use of proxies in certain cases," with a message that they had concurred in the passage thereof with the following amendments:

Strike out section 2, and change section 3 to section 2.

Amend the title by striking out at the end thereof the following words: "and to provide against the use of proxies in certain cases."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Palmer
Beach	Edwards	Hubbard	Morris	Stanford
Bradley	Folger	Humphrey	Murphy	Thayer
Campbell	Genet	Kennedy	Nichols	Tweed
Cauldwell	Graham	Mattoon	Nicks	Williams

25

FOR THE NEGATIVE.

Chapman	O'Donnell	Parker
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8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent for concurrence the bills entitled as follows:

"An act to empower the boards of supervisors of the several counties of this State to fix the compensation of their members, and to authorize the sale of lands for the non-payment of taxes and the collection of unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Breevort Savings Bank of the city of New

York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the charter of the Hudson River Bridge Company, at Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hale moved that the committee on commerce and navigation be discharged from the further consideration of said bill, and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Hale, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Parker
Beach	Creamer	Graham	Nicks	Tweed
Bradley	Crowley	Hale	Norton	Van Patten
Campbell	Edwards	Hubbard	O'Donnell	Williams
Cauldwell	Folger	Kennedy		

23

FOR THE NEGATIVE.

Humphrey	Morris	Nichols	Palmer	Thayer
Mattoon				

6

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867," with a message that they had passed the same with the following amendment:

Section 1, line 1, printed bill, strike out the words "seven members or" and insert "a majority of the."

Mr. Murphy moved that the Senate do non-concur in the amendment of the Assembly and that a committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the affirmative.

The President appointed as such committee on the part of the Senate, Messrs. Murphy, Pierce and Hale.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendment, and request a committee of conference.

The Assembly returned the bill entitled "An act to make provision for the government of the city of New York," with a message that they had passed the same with the following amendments:

Strike out all after line 12, section 1, engrossed bill, and insert in lieu thereof the following:

"Advertising for the common council, fifty thousand dollars. The mayor and comptroller shall from time to time designate one daily newspaper, in which to publish the entire proceedings of the common council, and all notices and proceedings required to be published by law, commissioners for local improvements, and of all departments, boards and bureaus relating to the city, and seven other daily papers and six weeklies, but no more, in which to publish the final actions of each board, and notices required by law to be published.

"Aqueduct repairs and improvements, eighty thousand dollars.

"Charges on arrears of assessments, ten thousand dollars.

"Charges on arrears of taxes, ten thousand dollars.

"Cleaning streets under contract, five hundred and five thousand five

hundred dollars. The officers designated in section 11 of chapter 853 of the Laws of 1868, or a majority of them, are authorized to apply the provisions of said section to the existing contract so as to provide for and secure the cleaning of the streets, avenues and public places and squares of said city as often and to the extent required for the proper cleaning and public health of said city, but not to an amount exceeding the aggregate for the whole work, including the additional contract, the sum authorized by said section to be expended for a new contract, or for a period exceeding the remainder of the term of the said existing contract, and the board of supervisors are hereby authorized and directed to levy the necessary amount and cause the same to be raised annually by tax upon the estates by law subject to taxation within the city and county of New York for the existing contract for cleaning and for the additional amount required to carry into effect the foregoing provisions.

"Cleaning markets, thirty thousand dollars.

"City contingencies, sixty thousand dollars.

"CITY DISPENSARIES.

"For the payment of the stated annual contributions of one thousand dollars each to each of the following named public dispensaries, fifteen thousand dollars, namely: New York Dispensary, the Northern Dispensary, the Eastern Dispensary, the Demilt Dispensary, the New York Homœopathic Dispensary, the Bond Street Homœopathic Dispensary, the Northeastern Dispensary, the Northwestern Dispensary, the Yorkville Dispensary, the Manhattanville Dispensary, the Eclectic Dispensary, Infirmary of the New York College of Dentistry, Dispensary of the New York Medical College for Women. Branch Homœopathic Dispensary, Tompkins square; Bond Street Homœopathic Dispensary, balance of special donation.

"Contingencies Legislative department, ten thousand dollars.

"Contingencies mayor's office, fifteen thousand dollars.

"Contingencies comptroller's office, twenty thousand dollars.

"Contingencies law department, twenty-five thousand dollars, and for rent of offices now occupied by counsel to the corporation, six thousand dollars.

"Contingencies street department, twenty thousand dollars.

"Contingencies Croton Aqueduct Board, five thousand dollars.

"Contingencies Department for the survey and inspection of buildings, fifteen thousand two hundred dollars.

"DONATIONS FOR CHARITABLE PURPOSES.

"Sisterhood of St. Mary's Episcopal Church, three thousand dollars.

"House of Mercy (Horatio Potter, president), five thousand dollars.

"To the Sisters of Order of St. Dominick (asylum), five thousand dollars.

"St. Francis' Hospital, five thousand dollars.

"St. Joseph's Orphan Asylum, five thousand dollars.

"Hebrew Benevolent Society's Orphan Asylum, five thousand dollars.

"Patriots' Orphan Home, five thousand dollars.

"Five Points House of Industry, five thousand dollars.

"Ladies' Union Relief Association, five thousand dollars.

"Home for the Friendless in Twenty-ninth street, five thousand dollars.

"Women's Medical College and Hospital, five thousand dollars.

"Ladies' Union Aid Society, five thousand dollars.

"To the Sacred Heart at Manhattanville, ten thousand dollars, to repay assessments against said institution.

"Women's Hospital of the State of New York, of which James W. Beekman is president, and agreeable to the memorial of Peter Cooper and others, twenty thousand dollars.

"Five Points Mission, five thousand dollars.

"St. Luke's Home for Aged Indigent Females, five thousand dollars.

"For the Lying-in-Asylum, Marion street, five thousand dollars.

"To the Commissioners of Charities and Corrections,

"For donations to the blind, twenty-five thousand dollars.

"For the school of St. Peter's Church, Barclay street, five thousand dollars.

"For the school of Transfiguration Church, Mott street corner of Park street, three thousand dollars.

"For the school of St. James' Church, in James street near Madison, three thousand dollars.

"For James Street Industrial School for Truant Children, three thousand dollars.

"For school of St. Bridget's Church, three thousand dollars.

"For school of Church of Our Lady of Sorrows, three thousand dollars.

"For school of Church St. Boniface, three thousand dollars.

"For school of Church St. Vincent Ferrer, three thousand dollars.

"For school of St. Theresa's Church, three thousand dollars.

"For school of Church of Immaculate Conception, three thousand dollars.

"For school of St. Patrick's Church, Mulberry street, five thousand dollars.

"For school of Church of the Epiphany, three thousand dollars.

"For school of Church of Most Holy Redeemer, three thousand dollars.

"For St. Nicholas' School, in Second street, three thousand dollars.

"For the Free German School in Fourth street, three thousand dollars.

"For the German American School, nineteenth ward, three thousand dollars.

"For the School for Destitute Children attached to the church in Thirty-second street, between Ninth and Tenth avenues, three thousand dollars.

"For the Charity School in West Thirty-seventh street, between Broadway and Seventh avenue, three thousand dollars.

"For St. Columba Charity School in West Twenty-fifth street, two thousand dollars.

"For the School of the Protestant Episcopal Church of the Redeemer, two thousand dollars.

"For the School for Destitute Children in Eighty-fourth street, between Madison and Fifth avenues, three thousand dollars.

"For the Sister's School, attached to the Forty-second street church, five thousand dollars.

"For the Christian Brothers' School, attached to St. Mary's Church in Grand street, five thousand dollars.

"For the Sisters of St. Joseph's church Fourth street, five thousand dollars.

"For St. Stephen's Orphan Home, five thousand dollars.

"For the German Mission Association, three thousand dollars.

"For the Wayside Industrial Home, three thousand dollars.

"For the Society for the Relief of Destitute Children of Seamen, three thousand dollars.

"For the New York Female Assistance Society, five thousand dollars.

"For the Blind Mechanics' Association, five thousand dollars.

"For the Magdalen Benevolent Association, Mrs. Charles A. Fanning treasurer, five thousand dollars.

"For the Samaritan Home for the Aged, one thousand dollars.

"For the Orphan Asylum corner of Mott and Prince streets, five thousand dollars.

"For the House of the Good Shepherd, for the maintenance and support of fallen women, fifteen thousand dollars.

"For the New York Infirmary, for women and children, ten thousand dollars.

"For the Metropolitan Homœopathic Dispensary, five thousand dollars.

"For the Northeastern Homœopathic Dispensary, three thousand dollars.

"For Eclectic Medical Dispensary, seven thousand dollars.

"For New York Dispensary, James F. De Peyster trustee, fifteen thousand dollars.

"For Harlem Dispensary, one thousand dollars.

"For Western Homœopathic Dispensary, fifteen thousand dollars.

"For the Orthopadic Dispensary, two thousand dollars.

"Completing concreting of Tompkins square for use of the military, as now directed by law, sixty thousand dollars.

"Deficiencies Croton Aqueduct Department, one thousand dollars.

"Election expenses, thirty-eight thousand dollars.

"Errors and delinquencies, three thousand eight hundred dollars; and the comptroller is authorized to remit the erroneous assessments imposed on property of John Moore, or so much thereof as may be necessary.

"Flagging sidewalks and fencing vacant lots, two thousand dollars.

"Concreting sidewalks in exterior of Union square and Madison square parks, ten thousand dollars.

"Inebriate Asylum, forty thousand dollars.

"Judgments and interest, the sum of three hundred and twenty-three thousand eight hundred and seventy-two dollars and seventy-seven cents; but no part of such sum shall be expended in payment of said judgments, unless duly audited and allowed by the comptroller.

"Lamps and gas, ten hundred and fifty-three thousand two hundred and five dollars.

"Lands and places, fifty thousand dollars.

"Lands and places for Battery improvements, fifteen thousand dollars.

"Mount Morris square improvement, fifteen thousand dollars, to be expended under the direction of the Central Park Commissioners.

"New stone bridge at King's bridge, ten thousand dollars; and the said bridge shall be fully completed with this amount.

"OPENING NEW STREETS.

"For such amounts as may be required to pay expenses and assessments already imposed by law for opening new streets and avenues, and for the amounts charged to or assessed upon the mayor, aldermen and

commonalty, in proceedings under acts of the Legislature, relative to the opening, widening and laying out streets in the city of New York, in which cases the reports of commissioners, respectively, have been or hereafter may be confirmed by the Supreme Court. The board of supervisors of the county of New York shall raise by tax upon the estates by law subject to taxation in said county, in the year 1869, and every year thereafter, the sums of money which are required for the said purposes above mentioned. It shall be the duty of the comptroller of the city of New York to certify to the said board of supervisors statements of the amounts which may be so charged or assessed upon the said mayor, aldermen and commonalty. Such certificate shall contain the title of the improvement, the date of confirmation of any report of commissioners, and the amounts required as aforesaid or assessed against each piece or parcel of land and of any portion charged for value of buildings required to be removed, as provided by law.

"Police station houses, forty-six thousand one hundred and fifty dollars.

"Printing for the common council, ninety thousand dollars.

"Printing for departments, fifty thousand dollars.

"Public buildings, construction and repairs, ninety thousand dollars.

"For the erection of public drinking hydrants and of urinals in the city of New York, ten thousand dollars, which amount the Metropolitan board of excise is hereby directed to set apart from sums received from excise licenses in said city, and to be expended for said erections by the street commissioner.

"Rents, fifty-six thousand one hundred and seventy-five dollars.

"Real estate expenses, fifty thousand dollars.

"Removing night soil, offal and dead animals, forty thousand five hundred dollars, and for the providing of a permanent offal depot and receptacle, one hundred thousand dollars.

"Removing obstructions in the streets and harbor, six thousand dollars.

"And the further sum of sixty-three thousand one hundred and six dollars and seventy-five cents to complete the repaving of Broadway under the existing contract with Charles Guidet, and the said pavement to be hereafter continued and so completed under the direction of the street commissioner, in place of the commission now existing, which is hereby abolished.

"Repairs to wharf, foot of Twenty-sixth street, East river, which is under control of the department of public charities and correction, and for their use during conveyance of the sick and paupers and prisoners to the Island institutions, twenty-five thousand dollars.

"Roads and avenues, ninety-seven thousand dollars.

"Also, the further sum of sixty-five thousand dollars for repairing and keeping in order the Fifth avenue from Fifty-ninth to One Hundred and Tenth streets, and from One Hundred and Twenty-fifth street to the Harlem river, to be expended by or under the direction of the street commissioners, pursuant to the existing ordinances.

"Salaries legislative department, one hundred and sixty-nine thousand seven hundred and seventeen dollars, including increase for clerks, and an annual salary of three thousand five hundred dollars to be paid to the engrossing clerks, and two thousand five hundred dollars to the index clerk of the board of assistant aldermen; also fifteen hundred dollars to the clerk of the city librarian; also for salaries of councilmen and

clerks who acted during the year eighteen hundred and sixty-eight, but who were declared legislated out of office, the further sum of thirty-two thousand dollars, or so much thereof as may be required for that purpose.

"The salary of the assistant messenger to the board of aldermen shall be at the rate of two thousand dollars per annum.

"Expenses board of audit, for balance due members and clerks of said board, in pursuance of chapter 586, Laws of 1867, eleven thousand five hundred dollars.

"The salaries of the commissioners of the Metropolitan board of excise, other than the police commissioners and health officer, shall severally be three thousand dollars per annum from the first of January, one thousand eight hundred and sixty-nine, and the officer of said board, required to prepare and sign licenses, shall receive therefor one thousand dollars per year; such salaries to be paid out of moneys received for licenses by the treasurer of said board.

"Salaries mayor's office, forty-eight thousand five hundred dollars.

"Salaries department of finance, two hundred and thirty thousand dollars.

"Salaries street department, one hundred and thirty-nine thousand six hundred and eighty dollars, including twenty-five hundred dollars for salary of a general inspector of contract work, which is hereby authorized.

"Salaries Croton aqueduct department, one hundred thousand eight hundred and ninety-two dollars.

"Salaries law department, forty-nine thousand three hundred dollars, including nineteen hundred dollars for salary of clerk in corporation attorney. The public administrator in the city of New York is hereby authorized to allow to the first and second clerks in his bureau salaries not exceeding the salaries allowed to the first and second clerks in the bureau of the corporation attorney of said city.

"And also the further sum of three thousand dollars, to be paid the widow of Joshua G. Abbe, deceased, late commissioner of the Metropolitan fire department, in whose favor the comptroller of said city is hereby authorized to draw his warrant for that sum to make compensation to attorney and counsel for professional services in defending said Joshua G. Abbe in an action brought by the people of the State against said Abbe to oust him from the office of fire commissioner, and for disbursements and expenses made and incurred in said action.

"And also the further sum of eight thousand three hundred and twenty dollars, to be paid William H. Chrystie, in whose favor the comptroller of said city is hereby authorized to draw his warrant for that sum to compensate the said William H. Chrystie for omission on the part of said city to repair pier No. , North river, and for loss in consequence thereof, and expenses incurred in repairing the same.

"Salaries board of assessors, nineteen thousand dollars.

"Salaries board of revision and correction of assessments, three thousand dollars.

"Salaries city courts, one hundred and ninety thousand four hundred and twenty-five dollars.

"Stationery and blank books, fifty thousand dollars.

"Sewers, repairing and cleaning, one hundred and four thousand dollars.

"Street improvements, fifteen thousand dollars.

"Society for the Reformation of Juvenile Delinquents, eight thousand dollars.

"Sprinkling roads and avenues, twenty thousand dollars; the same to be expended at such times and places as the street commissioner may determine, but only after specific agreement by him with the parties employed.

"Supplies for and cleaning public offices, ninety-five thousand dollars.

"For payment of temporary clerks in bureau of collection of taxes, forty thousand dollars.

"Wells and pumps, repairing and cleaning, three thousand five hundred dollars, to be expended under the direction of the street commissioner.

"Wharves, piers and slips, four hundred thousand dollars.

"Interest on revenue bonds, two hundred thousand dollars.

"And the further sum of eight thousand dollars to be paid to Samuel C. Reed, in whose favor the comptroller of the city of New York is hereby authorized to draw his warrant for that sum to compensate the said Samuel C. Reed for two years' services as attorney and counsel to the department for the survey and inspection of buildings in the city of New York, from the 9th day of June, 1864, to the 9th day of June, 1866, and for expenses incurred by him and disbursements made by him in said office.

"Also, the further sum of ten thousand dollars to be used by the department of public charities and correction for the purpose of opening and advertising, under control of its officers, a free intelligence office for the benefit of the poor and strangers seeking employment and information.

"Also, the further sum of twenty thousand dollars, or so much as may be necessary, in order to give effect to the provisions of chapter 238 of the Laws of 1869, to be expended according to the provisions of said act, by the department of public charities and correction.

"Also, the further sum of three thousand dollars for contingencies for the corporation attorney.

"For the Battery improvement, under contract dated May 31, 1865, as authorized by an act of the Legislature passed May 1, 1865, for arrears, sixty-seven thousand dollars, and the further sum of forty-five thousand dollars, or so much thereof as may be necessary for the completion of said improvement.

"For amount necessary to pay for the building of piers fifty-eight and fifty-nine East River, the sum of eleven thousand dollars.

"Also, the further sum of forty thousand dollars for the establishment and maintenance of a nautical school-ship under direction of the commissioners of charities and corrections.

"Also, the further sum of six thousand five hundred dollars to R. & J. Cunningham for extra work on contract for sewer in First avenue from Seventy-fourth street to Seventy-eighth street.

"The provisions of chapter 880, Laws of 1867, are hereby applied to that portion of the Fourth avenue lying between Sixty-seventh and Seventy-first streets, and for damages to the contractor for grading Hamilton square, the sum of eighty thousand dollars is hereby appropriated.

"Also, the further sum of six hundred dollars for surveys incurred, to be expended under direction of the street commissioner.

"Also, the further sum of thirteen thousand three hundred and one dollars and forty-two cents for judgment recovered by E. V. Haugh-

wout and Charles L. Tiffany, on the 19th day of June, 1863, with the interest thereon.

"Also, the further sum of three thousand five hundred dollars to William Burns, superintendent of horses in the Metropolitan fire department, for services during the years 1866, 1867, 1868, being the aggregate difference between his salaries in those years and the salary of three thousand dollars per year, which salary is hereby fixed to him from and after the 1st day of January, 1869.

"For the completion of the Infants' Hospital on Randall's Island, the sum of one hundred and twenty-five thousand dollars, to be disbursed by the commissioners of charities and correction of the city of New York.

"Also, the further sum of fifty thousand dollars for the erection of free floating baths on the East and Hudson rivers, under the direction of the street commissioner, as authorized by chapter eight hundred and seventy-nine, Laws of eighteen hundred and sixty-eight.

"Also, the further sum of five thousand five hundred and eighty-five dollars and fifty-four cents, the same to be applied by the comptroller in paying various assessments against the following government property, viz: The custom house, the post-office and the sub-treasury.

"Also, the further sum of forty-seven thousand two hundred and eight dollars to the New York Times and other newspapers for amount due for advertising, payments to be made upon vouchers, when audited and allowed by the comptroller.

"For the completion of the edifice for the House for the support and education of the destitute children of the soldiers who died in the late war, without distinction of creed or nativity, which has been built so far by private subscription and appropriations by the Legislature, and which awaits this further appropriation to make the previous expenditures available, the sum of seventy-five thousand dollars, to be paid to the managers thereof—the Sisters of Mercy.

"§ . The sums necessary to be raised in the current year by taxation in the city and county of New York, to pay the proportion of the State and county debt required to be paid by said city and county, and to pay that part of the family aid bonds, the bounty debt and other war debts of said city and county, falling due in the current year, shall be raised by the issue and sale of bonds of said city, to be called 'Tax relief bonds of the city of New York;' and, within sixty days after the passage of this act, the comptroller of said city and county shall prepare and issue such bonds, signed by him and by the mayor of said city, and sealed with the seal of said city, of not less than the sum of five hundred dollars each, conditioned for the payment of such sum in ten years from the date thereof, with interest thereon at the rate of seven per cent per annum, payable semi-annually, and shall sell the bonds immediately at not less than par, and the proceeds and premises received on such sale shall be deposited with the chamberlain of said city, to be paid out for the redemption of the aforesaid volunteer family aid fund bonds, county and other war debts, and to the Comptroller of the State of New York for the said proportion of the State bounty debt due in the current year; and the sum herein before authorized to be raised by taxation in said city and county shall be diminished to the amount of said bonds herein directed to be raised. In the year 1879 the supervisors of the county of New York shall raise by tax upon the estates in said county a sum sufficient to pay the principal of said bonds; and

every year hereafter, until said principal be paid, said supervisors shall raise, in the same manner, a sum sufficient to pay the interest on said bonds.

"§ . For the purpose of providing means for purchase of water pipes and laying the same the comptroller of the city of New York is hereby authorized and directed to borrow, on the faith and credit of the mayor, aldermen and commonalty of the city of New York, a sum not exceeding four hundred and fifty thousand dollars, and to issue bonds therefor, which shall be known as 'Croton water pipe bonds of the corporation of the city of New York,' said bonds to be signed by the comptroller and mayor and sealed with the official seal of the corporation, attested by the clerk thereof and transferable in the usual manner according to the rules prescribed by the comptroller, and to bear interest not exceeding seven per cent per annum payable half-yearly, to wit: on the first day of May and November in each year, and the principal thereof shall be redeemable within twelve years from the passage of this act. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised, by tax, upon the estates by law subject to taxation within the city and county of New York, an amount sufficient in each year to pay the interest on the bonds herein authorized, and also an amount sufficient to pay and redeem the said bonds at their maturity.

"§ . The comptroller of the city of New York is hereby authorized and directed to borrow, upon the credit of the mayor, aldermen and commonalty of the city of New York, such sum or sums of money as may be necessary to redeem and cancel the bonds of the said mayor, aldermen and commonalty issued in pursuance of section 8 of chapter 853, Laws of 1868, now outstanding. Also, such further sum or sums of money as may be required for the purposes authorized by the seventh and eighth sections of said chapter above mentioned. For all the sums so borrowed the comptroller is authorized to issue bonds in the name of and on behalf of the said mayor, aldermen and commonalty, to be designated and known as 'The accumulated debt bonds of the corporation of the city of New York,' said bonds to be signed by the comptroller and mayor and sealed with the official seal of the corporation, attested by the clerk thereof and transferable in the usual manner, according to the rules prescribed by the comptroller, and to bear interest not exceeding seven per cent per annum, payable half-yearly, to wit: on the first day of May and November in each year; and the principal thereof shall be redeemable within twenty years from the passage of this act, in five annual installments. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised, by tax, upon the estates by law subject to taxation within the city and county of New York, an amount sufficient in each year to pay the interest on the bonds herein authorized, and also an amount sufficient to pay and redeem said bonds at their maturity.

"§ . For street repairing and repairs, and for covering the street pavement of Fifth avenue from Washington square to the Central park, and for converting the City Hall park into a plaza, and for repairing cobble stone pavements with Fisk concrete fillings and coverings, and under direction of the street commissioner, the sum of five hundred thousand dollars, or so much thereof as may be required, which sum the comptroller is authorized and directed to provide by the issue of bonds in the name of and on behalf of the mayor, aldermen and commonalty

of the city of New York, to be designated and known as "Street improvement bonds," to be signed by the said comptroller and mayor, and sealed with the official seal of the corporation, attested by the clerk thereof. The bonds so authorized to be issued shall bear interest, not exceeding seven per cent per annum, payable on the first day of May and November in each year, and the principal thereof to be payable within twenty years from the passage of this act. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised, by tax upon the estates by law subject to taxation, within the city and county of New York, an amount sufficient in each year to pay the interest on the bonds, and also an amount sufficient to pay and redeem said bonds at their maturity.

"§ . The comptroller of the city of New York is hereby authorized and directed, immediately after the passage of this act, to borrow, upon the faith and credit of the mayor, aldermen and commonalty of the city of New York, a sum not exceeding one hundred and eighty-one thousand dollars, and to issue stock therefor, which shall be designated "Market stock of the city of New York." The certificates, representing this stock, shall be signed by the mayor and comptroller, and transferable in the usual manner, according to the rules prescribed by the comptroller; the said stock shall bear interest, not exceeding seven per cent per annum, payable semi-annually, and the principal thereof shall be payable on the first day of May, eighteen hundred and ninety-seven. The proceeds arising from the stock herein authorized shall be paid to the chamberlain for the use of the commissioners designated in the act chapter two hundred and three, passed April sixteen, eighteen hundred and sixty-eight. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised by tax upon the estates by law subject to taxation, within the city and county of New York, an amount sufficient in each year to pay the interest on the stock herein authorized, and also an amount sufficient to pay and redeem said stock at its maturity. The commissioners of the sinking fund are hereby authorized to purchase the piers, bulkheads and premises of Messrs. Roberts and Putnam, on South street, if they shall deem it expedient; and the comptroller is hereby authorized to issue bonds for such purpose, if the purchase shall be determined on, on behalf of the corporation, in the usual form, payable in a term not exceeding twenty years, and bearing interest not exceeding seven per cent; and, if such bonds shall be issued, it shall be the duty of the board of supervisors of the county of New York to provide annually, by tax, for the payment of the interest thereon, and also an amount sufficient to pay and redeem said bonds at their maturity.

"§ . The comptroller of the city of New York is hereby authorized and directed to audit and adjust and pay the claims of members of engine companies numbers thirty-six, thirty-seven, thirty-eight, thirty-nine and forty, and hook and ladder companies numbers thirteen, fourteen and fifteen, which were organized under the direction of the commissioners of the Metropolitan fire department between the tenth and thirty-first days of October, 1865, and described in the report of said commissioners for the years 1865 and 1866 as 'suburban companies.' The said comptroller is hereby authorized and directed to raise the money necessary to pay the sum or sums which may be found due said members of said fire department, on said claims as aforesaid, on the stock of the city of New York, issued in the usual form, said stock to

be called the 'Fire department stock,' payable thirty years after its date and to bear interest not to exceed seven per cent per annum. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised, by tax, upon the estates by law subject to taxation within the city and county of New York, an amount sufficient in each year to pay the interest on the stock herein authorized, and also an amount sufficient to pay and redeem said stock at its maturity.

"§ . All contracts for work to be performed on behalf of the corporation of said city shall contain suitable covenants for the due and regular prosecution and performance of said work, with adequate penalties for neglect or failure in its prosecution; and it is hereby made the duty of the mayor, comptroller, street commissioner, or a majority of them, to supervise the preparation of said contracts and to make the same in the place of the head of the department now authorized to make the same, and to take such measures as may be necessary to enforce the performance of existing contracts.

"§ . The commissioners of the sinking fund are hereby empowered, in such manner as they shall deem best for the interest of the city, from time to time, to lease city property, but not for a term longer than the charter limitation of ten years, nor for a renewal for a longer term than ten years.

"§ . The commissioners of the sinking fund are hereby authorized to lease to the corporation for the 'Chapin Home for the aged and infirm,' such lots north of Sixty-sixth street, belonging to said city, as may be necessary for the erection of a home, upon such terms and conditions and for such term of years and annual rent as such leases have heretofore been made by municipal authorities to charitable institutions.

"§ . Hereafter an annual amount, equal to twenty per cent on the excise moneys received for said city in eighteen hundred and sixty-eight, to be distributed under the direction of an officer to be appointed for that purpose by the board of education of said city (whose compensation shall be paid from such amount), for the support of schools educating children gratuitously in said city, who are not provided for in the common schools thereof, excepting therefrom schools receiving contributions for their support from the city treasury.

"§ . The said several sums shall be applied to the objects and purposes for which the same are hereby appropriated, except as herein otherwise provided, and neither said corporation, nor any board, department officer or agent thereof, or head of department, shall incur any liability or make any contract or contracts, or permit or vote for, or authorize, audit or allow, directly or indirectly, any expenditure for any of the objects and purposes specified, the aggregate of which expenditure, and of the liabilities under such contracts, shall exceed the sum appropriated for said purpose, or for any other purpose or object than that herein specified. And the common council, or any head of department of the city of New York, are hereby prohibited from creating any new office or department, or increasing the salaries of those now in office, or their successors, except as provided by acts passed by the Legislature.

"§ . Hereafter all estimates for the anticipated annual expenditures of all boards and departments of the government of the city of New York shall be made by the chief officer of every such board and department in connection with the mayor and comptroller of said city, and

submitted to the common council of said city at the first meeting thereof in January of each year; and said estimates, whether acted upon or not by said common council, shall be presented by the said mayor to both branches of the Legislature of the State on or before the first Tuesday of March, and said estimates shall be taken to be the sole official estimates of such boards and departments for such annual expenditures of the year, when so presented, and to include all expenses that, in the opinion of said officers, are deemed necessary.

“§ . Should the common council neglect or refuse to make appropriations for the several amounts herein authorized by law, or any other amounts which are required and authorized by law to be raised by tax for the necessary expenses of the city government and the several boards or commissions thereof, within twenty days from the passage of this act, then and in that case the mayor and comptroller are hereby authorized and directed to make said appropriations; and the appropriations thus made by the mayor and comptroller shall be in effect the same as if made by the common council.

“§ . No action shall be maintained against the mayor, aldermen and commonalty of the city of New York, unless the claim, on which the action is brought, has been presented to the comptroller, and passed on by him, or he has unreasonably refused or omitted to take action on the same. Before any execution shall be issued on any judgment, recovered upon such a claim, a notice of the recovery thereof shall also be given to the comptroller, and he shall be allowed ten days to provide for its payment by the issue of revenue bonds in the usual manner, according to law.

“§ . This act shall take effect immediately.”

Mr. Genet moved that the Senate concur in the amendments of the Assembly.

Mr. Crowley moved that the Senate non-concur, and that a committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Kennedy	Palmer	Thayer
Chapman	Graham	Morgan	Parker	Van Petten
Crowley	Hale	Nicks	Stanford	Williams
Folger	Humphrey	O'Donnell		

18

FOR THE NEGATIVE.

Banks	Creamer	Mattoon	Murphy	Pierce
Beach	Hubbard	Morris	Nichols	Tweed
Cauldwell				

11

The Assembly returned the bill entitled “An act to make provision for the government of the county of New York,” with a message that they had passed the same with the following amendments:

Strike out all after line 16, engrossed bill, and insert the following:

“Advertising, forty-five thousand dollars.

“The mayor and comptroller shall from time to time designate six daily newspapers and six weeklies, but no more, in which to publish the proceedings of the board of supervisors and all proceedings and notices relating to county affairs.

seven per cent per annum. The said stock shall be designated and known as "The New York county court-house stock, number three," and the issuing of the same shall conform, so far as applicable to the provisions of this act, to chapter one hundred and sixty-seven, laws of eighteen hundred and sixty-four, relative to said court house. The money so raised shall be paid by the comptroller on bills audited and allowed by the board of supervisors of said county. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised, by tax, upon the estates by law subject to taxation, within the city and county of New York, an amount sufficient in each year to pay the interest on the stock herein authorized and that issued by previous authority, and also an amount sufficient to pay and redeem the stock, hereby and herein before authorized for the aforesaid purposes, at its maturity.

"§ . The comptroller of the city of New York is hereby authorized and directed to borrow, upon the credit of the county of New York, such sum or sums of money as may be necessary to redeem and cancel the bonds of the said county, issued in pursuance of section three of chapter eight hundred and fifty-four, laws of eighteen hundred and sixty-eight, now outstanding; also such further sum or sums of money as may be required for the purposes authorized by the said third section of the act above mentioned. For all the sums so borrowed, the comptroller is authorized to issue bonds in the name of and on behalf of the said county of New York, to be designated and known as "The accumulated debt bonds of the county of New York;" said bonds to be signed by the comptroller and mayor, and sealed with the official seal of the county, attested by the clerk of the board of supervisors, and transferable, in the usual manner, according to the rules prescribed by the comptroller, and to bear interest, not exceeding seven per cent per annum, payable half-yearly, to wit, on the first day of May and November in each year, and the principal thereof shall be redeemable, within twenty years from the passage of this act, in five annual installments. The board of supervisors of the county of New York are hereby authorized and directed to order and cause to be raised by tax, upon the estates by law subject to taxation, within the city and county of New York, an amount sufficient in each year to pay the interest on the bonds herein authorized, and also an amount sufficient to pay and redeem said bonds at their maturity.

"§ . No action shall be maintained against the county of New York, unless the claim, on which the action is brought, shall have been presented to the board of supervisors of said county, and passed on by them, or they have unreasonably refused or omitted to take action on the same. Before any execution shall be issued on any judgment, recovered upon such claim, a notice of the recovery thereof shall be given to the comptroller, and he shall be allowed ten days to provide for its payment by the issue of revenue bonds, in the usual manner, according to law.

"§ . The said several sums shall be applied to the objects and purposes for which the same are hereby appropriated, except as herein otherwise provided, and neither the board of supervisors of said county nor any officer, agent or member thereof, or head of department, shall incur any liability or make any contract or contracts, or permit or vote for or authorize, audit or allow, directly or indirectly, any expenditure or expenditures for any of the objects and purposes specified, the aggre-

gate of which expenditures and of the liabilities under such contracts shall exceed the sum appropriated for said purpose, or for any other purposes or object than that herein specified; and the board of supervisors of the county of New York are prohibited from creating any new office or departments or increasing the salaries of those now in office or their successors, except as provided by acts passed by the Legislature, and excepting that the board of supervisors are authorized, after the next general election, to fix and establish the compensation of the surrogate of the city and county of New York and the clerks of said office.

"§ . Hereafter all estimates for the anticipated annual expenditures of all boards and departments of the county government of New York shall be made in detail by the chief officer of every such board and department, in connection with the mayor and comptroller of said city, and submitted to the board of supervisors of said county at the first meeting thereof in January of each year, and said estimate, whether acted upon or not by said board of supervisors, shall be presented by the said mayor to both branches of the Legislature of the State, on or before the first Tuesday of March, and said estimates shall be taken to be the sole official estimates of such boards and departments for such annual expenditures of the year, when so presented, and to include all expenses that in the opinion of the said officers are deemed necessary.

"§ . This act shall take effect immediately."

Mr. Crowley moved to non-concur, and that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley moved that there be but one committee of conference on the part of the Senate, and that they have charge of both the city and county levies.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley moved that the said committee consist of two republicans and one democrat, and that Messrs. Kennedy and Crowley be the republican members of said committee.

The President put the question whether the Senate would agree to said motion, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Patten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

16

FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Bradley	Genet	Mattoon	Nichols	Tweed
Cauldwell				

16

There being a tie vote, the President voted in the negative, and declared the motion lost.

The President appointed as the committee of conference upon tax levies, Messrs. Creamer, Genet and Crowley.

Mr. Crowley declined to serve, and the President appointed Mr. Kennedy, who having declined to serve, the President appointed Mr. Chap-

man, who also declined to serve. The President appointed Mr. Hale, who having declined, the President appointed Mr. Banks.

Mr. Mattoon moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Creamer	Nichols	Norton	Pierce	Thayer
Murphy				

6

FOR THE NEGATIVE.

Banks	Crowley	Hale	Morgan	Parker
Beach	Edwards	Hubbard	Morris	Stanford
Bradley	Folger	Humphrey	Nicks	Tweed
Campbell	Genet	Kennedy	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
Chapman				

26

A message from the Assembly was received and read, in the words following:

The undersigned, committee of conference on the part of the Senate and Assembly, upon the disagreement of the two Houses in relation to the Assembly amendment to Senate bill No. 286, being "An act to provide for the safe custody and care of insane criminals," beg leave to report: That they have considered the subject, and find that the Assembly amendment does not in any manner alter or impair the Senate bill; but simply provides for the repeal of a section of the Revised Statutes directing all sentences to expire between the 1st of April and the 1st of October each year. This provision has been rendered inoperative by subsequent legislation, except that most prisoners, who by meritorious conduct procure a reduction of their term of imprisonment, are now discharged in mid-winter contrary to the intention of the Legislature.

To prevent this result the section referred to should be repealed, and while it might more appropriately have been done by an independent act, yet we can see no evil to result from attaching the amendment to the bill in question, the only way in which the object could be accomplished at this late period of the session. We therefore recommend a concurrence on the part of the Senate in the Assembly amendment.

A. W. PALMER,
S. K. WILLIAMS,
W. M. GRAHAM,

Senate Committee.

JOSHUA T. MILLER,
EDWARD C. WALKER,
LAW. D. KIERNAN,
ELI AVERY,
S. MITCHELL,

Assembly Committee.

IN ASSEMBLY, May 8, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Palmer	Thayer
Beach	Hubbard	Morris	Parker	Tweed
Campbell	Kennedy	Nichols	Pierce	Van Petten

Edwards
Folger

Mattoon

Nicks

Stanford

Williams

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

A message from the Assembly was received and read, in the words following:

To the Senate and Assembly:

The committee of conference of the Senate and Assembly, on the matter of difference between the two Houses on the bill entitled "An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same," report that they have met and considered the matters in difference referred to them, and have agreed unanimously on the following amendment:

After the name of "Jacob Beyer" insert the name of "Dennis Bowen," so that the said commissioners named in the said bill shall be "Joseph G. Masten, George Wardwell, David F. Day, Julius Vordtriede, Jacob Beyer and Dennis Bowen."

THOMAS J. LYON,
W. S. CAMERON,
G. J. BAMLER,
P. H. BENDER,
C. V. B. BARSE,

A. P. NICHOLS,
A. X. PARKER,
RICHARD CROWLEY,
Senate Committee.

Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach
Bradley
Campbell
Cauldwell

Chapman
Edwards
Folger
Graham
Hale

Hubbard
Kennedy
Mattoon
Morgan
Morris

Nichols
Nicks
Palmer
Parker

Pierce
Stanford
Thayer
Williams

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly returned the bill entitled "An act to incorporate the Knights of St. Patrick of the city of New York," with a message that they had passed the same with the following amendments:

Section 1, line 8, printed bill, after "Flynn" insert the name of "Frank McElroy" and "Michael C. Murphy."

Section 2, line 17, strike out "Peter Gillespie" and insert "Frank McElroy."

Section 3, lines 11 and 12, strike out "David Banker, Jr." and insert "William Hitchman." Line 12, strike out the name of "Peter Gillespie" and insert "Michael C. Murphy." Same line, change "Cowan" to "Coman." Same line, strike out "Hugh Classon" and insert "Edward J. Shandley." Line 13, change "Sheban" to "Skeban."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Stanford
Beach	Edwards	Hubbard	Nicks	Thayer
Bradley	Folger	Humphrey	Palmer	Tweed
Campbell	Genet	Kennedy	Parker	Van Potten
Cauldwell	Graham	Mattoon	Pierce	Williams 25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and to ratify its proceedings," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent the rules were suspended, and said bill recommitted to the committee to report complete.

Mr. Williams, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to sales for taxes," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to incorporate the Tontine Mutual Savings Bank of the city of New York," with a message that they had concurred in the passage thereof with the following amendments:

Section 4, line 6, printed bill, strike out "five" and insert "a majority." Line 9, strike out "five" and insert "a majority." Line 13, strike out "or" and insert "two-thirds of all the trustees shall be requisite for."

Section 5, line 5, strike out "five" and insert "a majority."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Folger	Kennedy	Pierce
Beach	Creamer	Genet	Morris	Thayer
Bradley	Crowley	Graham	Palmer	Van Potten
Campbell	Edwards	Hale	Parker	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act for the payment of the fees of the sheriff of the county of Kings, for the confinement of prisoners on civil process," with a message that they had concurred in the passage thereof with the following amendments:

Section 1, line 6, engrossed bill, insert after the word "sheriff" the following: "for the use of the said county of Kings, and to apply on expense of board of such prisoner." Same section, line 8, before the word "every" insert "for a like purpose."

Add at the end of section 2 the following: "and the said sheriff shall account to said county for all moneys so received."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Parker	Tweed
Beach	Creamer	Mattoon	Pierce	Van Potten

Bradley	Edwards	Morris	Stanford	Williams	
Campbell	Graham	Palmer	Thayer		19

FOR THE NEGATIVE.

Folger	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Williams, from the committee on insurance companies, to which was recommitted the Assembly bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and to ratify its proceedings," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the official acts of the boards of supervisors of the counties of Westchester and New York," reported adversely thereto.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to provide for the transfer of certain arsenals or armories belonging to the State to the county authorities of the counties in which they are wanted," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Williams moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Norton	Williams	
Cauldwell	Edwards	Morris	Pierce		9

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	O'Donnell	Stanford	
Bradley	Folger	Mattoon	Palmer	Thayer	
Campbell	Hale	Morgan	Parker	Van Petten	25

Mr. Beach moved that the Senate take a recess for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Stanford	
Beach	Creamer	Graham	Norton	Tweed	
Bradley	Edwards	Mattoon	Piercé	Williams	15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Crowley	Humphrey	O'Donnell	Parker	Van Petten	
Folger	Kennedy				12

Whereupon the Senate took a recess until 9½ o'clock P. M.

NINE AND A HALF O'CLOCK P. M.

The Senate again met.

Mr. Palmer called for the consideration of the concurrent resolution heretofore offered by him, as follows :

Resolved, (if the Assembly concur,) That ten copies of the annual report of the Transactions of the American Institute for 1868 be printed for each member, officer and reporter of the Legislature, one thousand copies for the Institute, ten copies for each county society in counties electing one member of Assembly, and a proportionate number in counties electing more than one member, ten copies for each town or union agricultural society, and twenty-five copies for the Regents of the University for exchanges, and that said report be bound the same as last year, and be distributed without delay.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Also the following :

Resolved, (if the Assembly concur,) That fifteen hundred copies of the State Agricultural Society for 1868 be printed for the use of the said Society; fifteen copies for each member, officer and reporter of the Legislature; twenty copies for county agricultural societies in counties electing one member of Assembly, and a proportionate number in counties electing more than one member of Assembly; ten copies for each town and union agricultural society, and fifty copies for the Regents of the University; and that said report be bound in the same manner as last year, and be distributed as above provided without delay.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Cauldwell offered the following :

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 329, entitled "An act to confirm the official acts of the board of supervisors of the counties of New York and Westchester," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Murphy and by unanimous consent, the Assembly bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which John Bannon died seized, to Catharine Bannon his widow," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks
Bradley

Crowley
Edwards

Kennedy
Mattoon

Nichols
O'Donnell

Pierce
Stanford

Campbell	Folger	Morgan	Palmer	Thayer	
Cauldwell	Hale	Murphy	Parker	Tweed	
Chapman	Hubbard				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and to ratify its proceedings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Palmer	Stanford	
Campbell	Edwards	Nichols	Parker	Thayer	
Cauldwell	Hubbard	O'Donnell	Pierce	Van Petten	
Chapman	Mattoon				17

FOR THE NEGATIVE.

Folger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morris	O'Donnell	Thayer	
Beach	Hale	Murphy	Parker	Tweed	
Cauldwell	Hubbard	Nichols	Pierce	Van Petten	
Crowley	Mattoon	Norton	Stanford		19

FOR THE NEGATIVE.

Campbell	Chapman	Morgan	Palmer	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the transfer of certain arsenals or armories belonging to the State to the county authorities of the counties in which they are located," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Thayer	
Beach	Folger	Morris	O'Donnell	Tweed	
Campbell	Graham	Murphy	Pierce	Van Petten	
Cauldwell	Humphrey				19

FOR THE NEGATIVE.

Chapman	Hubbard	Kennedy	Morgan	Palmer
Hale				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the Assembly bill entitled "An act to amend chapter 624 of the Laws of 1866, entitled 'An act to authorize the towns of Wilna, Champlain, Rutland, Watertown, Hounsfield, Philadelphia, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take, for said towns, capital stock in the Utica and Black River Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	O'Donnell	Stanford
Beach	Edwards	Humphrey	Palmer	Thayer
Campbell	Graham	Mattoon	Pierce	Tweed
Cauldwell	Hale	Morris		

18

FOR THE NEGATIVE.

Bradley	Folger	Morgan
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. O'Donnell and by unanimous consent, the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Croghan, in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company,' passed April 17, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	O'Donnell	Pierce
Beach	Edwards	Humphrey	Palmer	Stanford
Campbell	Graham	Mattoon	Parker	Tweed
Cauldwell	Hale	Morris		

18

FOR THE NEGATIVE.

Bradley	Crowley	Folger	Morgan	Nichols
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Banks moved that the Senate do now resolve itself into a committee of the whole upon the Assembly bill entitled "An act to amend the charter of the Hudson River Bridge Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said entitled bill.

After some time spent therein the President resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of said named bill without amendment.

Mr. Thayer moved to disagree with the report of the committee of the whole.

The President put the question whether the Senate would agree to said motion of Mr. Thayer, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Edwards	Morris	Palmer	Stanford	Thayer	
Morgan	Nichols	Parker			8

FOR THE NEGATIVE.

Banks	Crowley	Hale	Mattoon	O'Donnell	
Bradley	Folger	Hubbard	Murphy	Pierce	
Campbell	Genet	Humphrey	Nicks	Tweed	
Cauldwell	Graham	Kennedy	Norton	Williams	
Creamer					21

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Mr. Banks moved that said bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	O'Donnell	
Beach	Crowley	Hubbard	Murphy	Pierce	
Bradley	Folger	Humphrey	Nicks	Tweed	
Campbell	Genet	Kennedy	Norton	Williams	
Cauldwell	Graham				22

FOR THE NEGATIVE.

Edwards	Morris	Palmer	Stanford	Thayer	
Morgan	Nichols	Parker			8

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Mattoon	O'Donnell	
Bradley	Folger	Hubbard	Murphy	Parker	
Campbell	Genet	Humphrey	Nicks	Pierce	
Cauldwell	Graham	Kennedy	Norton	Tweed	
Creamer					21

FOR THE NEGATIVE.

Edwards
Morgan

Morris

Nichols

Stanford

Thayer

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the Senate bills entitled "An act to make provision for the government of the city of New York," and "An act to make provision for the government of the county of New York," with a message that they consent to a committee of conference, and have appointed as such committee, on the part of the Assembly, Messrs. La Bay, W. W. Campbell, Tuttle, Hitchman and Irving.

Mr. Crowley offered the following:

Resolved, That the thanks of the members of this Senate are due and are hereby tendered to the Hon. Allen C. Beach for the ability, urbanity and perfect impartiality with which he has discharged his duties as presiding officer of this body, and that he carries with him our warmest wishes for his future happiness and welfare.

The President put the question whether the Senate would agree to said resolution, and it was unanimously adopted.

Mr. Murphy offered the following:

Resolved, That the Senate acknowledges with great pleasure the ability and fidelity, and uniform courtesy with which its Clerk, James Terwilliger, has performed his duties, and we the members individually tender him our sincere thanks and best wishes for his health and prosperity.

The President put the question whether the Senate would agree to said resolution, and it was unanimously adopted.

Mr. Genet moved that the Senate now go into committee of the whole upon the Assembly bill entitled "An act for the payment of Charles A. Donalds for the construction of a dam across the Mohawk river, at Rexford Flats."

Mr. Campbell moved to amend by adding the Assembly bill entitled "An act to provide for the payment of damages sustained by Peter Phillips."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Genet, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the above named bills.

After some time spent therein, the President resumed the chair, and Mr. O'Donnell, from said committee, reported in favor of the passage of the first named bill without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks
Beach
Bradley
CauldwallCreamer
Genet
Graham
HubbardKennedy
Mattoon
MurphyNorton
Parker
PierceTweed
Van Petten
Williams

-19

FOR THE NEGATIVE.

Edwards	Hale	O'Donnell	Stanford	Thayer	7
Folger	Morgan				

Ordered, That said bill be read a third time.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the second named bill without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Genet moved that the first entitled bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Norton	Tweed	
Beach	Creamer	Kennedy	Parker	Van Petten	
Bradley	Genet	Mattoon	Pierce	Williams	
Campbell	Graham	Murphy			18

FOR THE NEGATIVE.

Chapman	Folger	Morgan	Nicks	Stanford	
Crowley	Hale	Nichols	O'Donnell	Thayer	
Edwards					11

Mr. Campbell moved that said second entitled bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	O'Donnell	Stanford	
Beach	Folger	Morgan	Parker	Tweed	
Bradley	Graham	Murphy	Pierce	Williams	
Campbell	Hale	Norton			18

FOR THE NEGATIVE.

Edwards	Morris	Nichols	Nicks	Thayer	5
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Morgan	O'Donnell	
Bradley	Edwards	Hubbard	Murphy	Parker	
Campbell	Folger	Kennedy	Nicks	Tweed	
Cauldwell	Graham	Mattoon	Norton		19

FOR THE NEGATIVE.

Morris					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Cauldwell offered the following resolution:

Resolved, That Assembly bill No. 329, entitled "An act to confirm the

official acts of the boards of supervisors of the counties of New York and Westchester," do now have its third reading.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce
Bradley	Folger	Mattoon	Norton	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard			

17

FOR THE NEGATIVE.

Campbell	Crowley	Murphy	Palmer	Thayer
Chapman	Morgan	Nicks	Stanford	Williams

10

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the city of Syracuse and certain towns of the counties of Onondaga and Oswego to issue bonds and take stock in the Syracuse and North Western Railroad Company," reported in favor of the passage of the same with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon moved to take from the table the resolution, as follows :

Resolved, That the Clerk be directed to forward each reporter of the Senate, who has not already received them, one set of the journal and debates of the late Constitutional Convention.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the negative.

Mr. Tweed offered the following :

Resolved, That the thanks of this Senate are justly due and are hereby most cordially tendered to the Hon. Chas. J. Folger, President *pro tem.* of this body, for the able, courteous and impartial manner which has uniformly characterized his action in the discharge of the difficult duties devolving upon him.

The President put the question whether the Senate would agree to said resolution, and it was unanimously adopted.

Mr. Van Petten offered the following :

Resolved, That the Regents of the University be instructed to report to the next Legislature what, in their judgment, should be the powers of a board of visitation of the colleges and academies of the State, and whether any change in the organization of that board is desirable to render it more efficient in the supervision of those institutions.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to authorize a tax of one and a half mills per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State," with a message that they had passed the same with the following amendments:

Page 1, engrossed bill, amend by striking out lines all after "Eastern division" up to and including the word "necessary."

Page 2, line 3, after word "done" insert "immediately."

Page 2. Amend line 13 by striking out the word "two" and inserting the word "one."

Page 2. Amend line 33 by striking out the word "twenty" and inserting the word "ten." Also strike out last line.

Page 3. Amend line 26 by striking out the word "eleven" and inserting the word "six."

Page 3. Amend last line by striking out the word "Saratoga" and inserting after the word "lock" the word "guard," and the words "at Waterford."

Page 4. Amend by striking out lines 23 to 28 inclusive.

Page 4. Amend line 9 by inserting after the word "done" the word "immediately."

Page 4. Strike out lines 16, 17, 18 and 19.

Page 6, line 10, strike out "forty" and insert "twenty." Amend by inserting before the words "Middle division" the following:

"For the construction of an iron foot bridge over the Erie canal on Broadway street, in the city of Utica, the sum of fifteen hundred dollars, or so much thereof as may be necessary."

"For the removal of the wall benches in the Erie canal from the junction of the Chemung canal therewith to the eastern line of the city of Utica, and for the erection of a vertical wall along the berme bank of the Erie canal from the point near Clay street where the present vertical wall terminates, eastward about fifteen hundred feet to the culvert next east of Clay street, the sum of fifteen thousand dollars, or so much thereof as may be necessary."

"For the construction of an iron bridge with roadway nineteen feet clear, and one side-wall six feet and a half clear over the Black River canal at Floyd street, in the village of Rome, and to remove the wooden bridge at Floyd street to Thomas street, and to construct for said bridge stone abutments at Thomas street, the sum of five thousand and five hundred dollars, or so much thereof as may be necessary."

"For the construction of an iron bridge over the Erie canal at Spraker's Basin, three thousand five hundred dollars, or so much thereof as may be necessary."

Page 7. Amend line 21 by striking out the word "six" and inserting the word "two."

Page 7. Amend by inserting after the word "water" last line, "and for dredging the ditch leading from the Chemung Canal feeder to the Chemung canal across the lands of Matthew Sayre, deceased, and others."

Page 8. Amend by striking out lines 142 to 147 on page 6 inclusive.

Page 8. Amend by inserting after line 2 the following:

"For raising and protecting of and improving the Oswego canal, the sum of twenty-five thousand dollars, or so much thereof as may be necessary."

"And for rebuilding the bulkhead in front of Farwell's mill, said bulkhead being in the Fulton dam, in such manner as to restore the dam to its condition previous to the breach, pursuant to a resolution of the Canal Board."

"For excavating bottom of Erie canal between Lock No. 47 and Limestone Creek feeder, the sum of forty thousand dollars, or so much thereof as may be necessary. This appropriation shall be applied to pay the repair contractor the difference only between the cost of excavating the same to the uniform original depth as required by the terms of his contract, and the necessary depth as recommended in the last annual report of the Division and State Engineer."

"For building vertical wall on enlargement section No. 4, Oswego canal at or near Bradley creek, so as to protect the berme bank from

sliding, the sum of four thousand dollars, or so much thereof as may be necessary."

"For raising and strengthening berme bank of Erie canal between Lock 50 and first bridge east thereof, and repairing ditch back of same so as to prevent the water from flowing the property adjacent thereto, the sum of six thousand dollars, or so much thereof as may be necessary."

"For removing wall and filling up a portion of Packet-boat basin in the city of Syracuse, the sum of three thousand dollars, or so much thereof as may be necessary."

"The reservoirs to Jordan level, the sum of fifteen thousand dollars in addition to former appropriations, or so much thereof as may be necessary, and for building the State portion of the bridge at Cold Spring on the Oswego canal."

"For building docks on north and south side-cuts of the Oswego canal at Salina, rendered necessary by the deepening of the same, the sum of fifteen thousand dollars, or so much thereof as may be necessary."

"For constructing an iron bridge in place of the present wooded structure over the Oswego canal and towing-path at the intersection of First street and said canal, near the northern bounds of the village of Fulton, the sum of four thousand dollars, or so much thereof as may be necessary."

"For constructing a suitable iron bridge with two roadways and two sidewalks over the Cayuga and Seneca canal at the place where Ovid street crosses said canal in the village of Seneca Falls, as provided for in chapter 1 of the Laws of 1868, the sum of seven thousand dollars, or so much thereof as may be necessary."

"For the purpose of carrying into effect the provisions of chapter 672 of the Laws of 1868, the sum of fifteen hundred dollars."

"For the purpose of taking up the dry walls to the chamber in Locks Nos. 2, 3, 9 and 11 on the Cayuga and Seneca canals and relaying the same in cement, with fender posts of white oak, said work to be done on the plan now in use on the Chemung canal, the sum of twenty-five thousand dollars, or so much thereof as may be necessary."

"For removing and rebuilding the bridge over the Erie canal at Warren street, in the city of Syracuse, on change of plan, and for putting iron needle beams in the several bridges over the Erie and Oswego canals in said city, fifteen thousand dollars, or so much thereof as may be necessary; said needle beams to be placed wherever the commissioners shall deem the work necessary; and that portion of this appropriation applicable to needle beams may be spent under the direction of the Canal Commissioner, by contract or otherwise."

"For excavating original material at Brickyard Point above Waterloo, the sum of five thousand dollars, or so much thereof as may be necessary."

"For taking out original material from the Erie canal on the Jordan level in 1868, the sum of one thousand three hundred and seventy-three dollars and sixty-five cents."

"For the construction of a suitable iron bridge with one roadway and two sidewalks over the Baldwinsville canal at the place where Bridge street crosses said canal in the village of Baldwinsville, the sum of six thousand five hundred dollars, or so much thereof as may be necessary."

Page 9. Amend by inserting the following after the word "necessary" in line 7, "and the Commissioner of the Western division is authorized, under the contract with John Head, to remove all the material in said

Ohio basin as it existed at the time of execution of said contract, so as to make a uniform depth of thirteen feet of water, provided it can be done without expense to the State beyond the existing appropriation, the additional expense shall be borne by the repair contractor for section fourteen."

Page 10. Amend by striking out the word "five" after the word "of" on line 20, and inserting the word "seven." Line 23, same page, strike out "four" and insert "two." Line 24, strike out "and twenty-five."

Page 7. Amend by striking out lines from one to six inclusive. Strike out all after line nine.

Page 12. Strike out lines 3 to 7 inclusive, and from 12 to 31 inclusive.

"For changing plan of bridges constructed and to be constructed on the Eastern division, the sum of fifty thousand dollars; on the Middle division, the sum of forty thousand dollars, and on the Western division, including the building of two bridges in the city of Buffalo, one over the Ohio basin slip at Fulton street, and one over the Erie canal at Georgia street, and a bridge over the Griffin creek feeder on Genesee Valley canal, fifty thousand dollars, or so much thereof as may be necessary; provided, however, that no bridge or portion of bridge on change of plan, whether done under special act, special notices heretofore exhibited for repair lettings of sections or the provisions of any repair contract, or otherwise, shall be constructed or partially reconstructed of different material, neither shall any repair contractor be required, whether under this appropriation or not, to do any such work on the pretense that the same is covered by the provisions of any repair contract. And the plans, estimates and specifications for said work shall be submitted to and approved by the Canal Board, and the work shall be duly advertised and let to the lowest bidder."

Page 12. Amend by inserting after the word "necessary" at line 12, the following:

"And the sum of one hundred thousand dollars appropriated by said act to pay the expenses of constructing two stone side-cut locks in the village of West Troy, is hereby re-appropriated for the same purpose."

Page 14. Insert the following amendments after the word "appropriated" immediately before section 2 of engrossed bill:

"To pay Benjamin F. Wells for work done on section one Champlain canal, not enumerated in his contract, the sum of nine thousand five hundred dollars, or so much thereof as may be necessary."

"For B. F. Wells, repair contractor on section No. 1 Champlain canal, for repairs to the dam at Fort Miller bridge and the Mohawk River bridge, the sum of five thousand dollars, which contract is hereby terminated at the Hudson and Mohawk rivers."

"To pay the expense of completing the experiments on lock-gates at Macedon made by Charles Neer, not to exceed fifteen hundred dollars."

"For deepening Erie canal from Lyell street to first lock east of Rochester, including cutting down Genesee river aqueduct and constructing vertical wall from same to Griffith street, and improving the entrance to Rochester weigh lock, the sum of forty thousand dollars, or so much thereof as may be necessary."

"For the construction of a farm bridge over the Erie canal on the farm of Arsino B. Warner, in the town of Greece, county of Monroe, the sum of two thousand five hundred dollars, or so much thereof as may be necessary."

"To pay Whitmore, Carson & Company the sum of three thousand three hundred dollars for the construction of five hundred and forty feet of vertical wall upon the Erie canal near the village of Albion."

"To pay Ambrose Crane for the construction of four hundred cubic yards of vertical wall on berme side of Genesee Valley canal between West avenue and Mud lock in Rochester, the sum of one thousand two hundred dollars."

"For building vertical wall on berme bank in the village of Pendleton, the sum of two thousand dollars, or so much thereof as may be necessary."

"For building culvert and vertical wall in the village of Middleport, Niagara county, as provided by chapter of the Laws of 1868, the sum of six thousand dollars, or so much thereof as may be necessary, if the Canal Commissioner shall in his judgment deem it to the interest of the State to do said work."

"For the completion of the improvement of the Genesee Valley canal from the south end of the Guard lock to the junction of the Erie canal, and for slide bank at Portage, the sum of twenty-five thousand dollars, or so much thereof as may be necessary."

"For removing wall benches, constructing slope pavement and vertical walls, and straightening the Erie canal on the Eastern division, and for constructing a slope wall or otherwise sustaining the towing-path bank of the canal about one mile above Cohoes Falls, and for constructing a retaining wall outside the towing-path westerly from Harmony Mills bridge to prevent the earth washing into the canal, and for paving or raising the towing-path and constructing a railing along the highway where the towing-path and highway come together above said falls, and for constructing a farm bridge over the Champlain canal on the farm of George Devit, in the town of Waterford, and for paying the differences in cost between an iron and a wooden bridge on the said canal near Oneida street in Cohoes, the contractor for repairs on that section paying the balance, and for constructing a sidewalk and the abutments therefor to the iron bridge at Summit street, at Cohoes, the sum of one hundred and sixty thousand dollars; provided, however, that at least one hundred thousand dollars of such sum shall be expended, if necessary, upon the work above mentioned on that part of the Erie canal between the lower aqueduct across the Mohawk river at Crescent and the lower side-cut lock in the village of West Troy; for removing wall benches, constructing slope pavement and vertical walls on the Middle division of the Erie canal, the sum of seventy thousand dollars, and ten thousand dollars on the Western division of the Erie canal."

"The Treasurer shall pay on the warrant of the Auditor of the Canal Department to the legal representatives of William Baldwin, assignee of Charles J. De Graw, for the amount of deposit with the Auditor as the security for the performance of the contract for keeping in repair section No. 1 of the Champlain canal for the term of five years next after the first day of August, 1860, for the interest thereon while thus deposited for the fifteen per cent held as security or draw back, and the month's pay immediately preceding the abandonment of the contract, six thousand one hundred and fifty-seven dollars."

"For deficiency in appropriation by act chapter 421, Laws of 1868, for a swing bridge over the Chenango canal at Hawley street, Binghamton, the sum of three hundred and eighty-five dollars and thirty-nine cents."

Amend section 2 by striking out from the word "mills" in line 3, to the word "seventy" inclusive in line 4.

Also, at the end of section 2 insert the following:

"And for all moneys appropriated by virtue of this act, or appropriated to be paid from the Canal Fund by previous acts, the Auditor of the

Canal Department shall draw his warrant upon the Treasurer as now provided by law, and the Treasurer shall pay by check on such banks as shall be designated in said warrants."

Page 9. Amend by striking out section 4 entire; also section 5 entire.

Page 1. Also amend the title to the act so as to read as follows:

"An act to authorize a tax of three-quarters of a mill per dollar for the year 1869 for constructing new work upon and extraordinary repairs of the canals of this State."

Mr. Kennedy moved that the Senate concur.

Mr. Nichols moved that the Senate non-concur in the amendments of the Assembly, and that a committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Nichols, Kennedy and Chapman.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and request a committee of conference.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 9th, 1868," reported in favor of the passage of the same; and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Folger moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill having been announced for a third reading,

Mr. Mattoon moved to recommit said bill to the committee on the judiciary, with instructions to strike out in the 8th section the "15th day of October," and insert the "15th day of September."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Murphy	Parker
Beach	Crowley	Hubbard	Nicks	Thayer
Bradley	Folger	Kennedy	Norton	Tweed
Campbell	Genet	Morris	Palmer	Van Petten

20

FOR THE NEGATIVE.

Chapman	Graham	Mattoon	Morgan	O'Donnell
Edwards				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the bill entitled "An act to authorize a tax of one and a half mills per dollar of valuation for construction of new work upon and extraordinary repair of the canals of the State," with a message that they had consented to the appointment of a committee of conference, and appointed as such committee, Messrs. Bradstreet, Barse, Chase, Woltman and Berry.

Mr. Genet moved that the Assembly bill entitled "An act for the payment of Charles A. Donalds for the construction of a dam across the Mohawk river at Rexford Flats," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Pierce	
Beach	Edwards	Kennedy	Palmer	Tweed	
Bradley	Genet	Mattoon	Parker	Van Petten	
Cauldwell	Graham	Murphy			18

FOR THE NEGATIVE.

Campbell	Folger	O'Donnell	Stanford	Thayer	
Chapman	Morgan				7

Said bill having been announced for a third reading,

Mr. Morgan moved to recommit said bill to the committee, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Folger	Morgan	O'Donnell	Stanford	Thayer	5
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FOR THE NEGATIVE.

Banks	Cauldwell	Hubbard	Palmer	Tweed	
Beach	Edwards	Kennedy	Pierce	Van Petten	
Bradley	Genet	Mattoon			13

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Murphy	Tweed	
Beach	Genet	Mattoon	Norton	Van Petten	
Bradley	Graham	Morris	Pierce	Williams	
Cauldwell	Hubbard				17

FOR THE NEGATIVE.

Campbell	Edwards	Morgan	Palmer	Stanford	
Chapman	Folger	O'Donnell	Parker	Thayer	
Crowley	Hale				12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bill entitled as follows:

"An act to equalize the compensation of the deputy clerks of the Senate

and Assembly," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Tweed and by unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Pierce
Beach	Creamer	Hale	Norton	Stanford
Campbell	Edwards	Hubbard	Palmer	Tweed
Cauldwell	Genet	Kennedy	Parker	Van Petten

20

FOR THE NEGATIVE.

O'Donnell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Van Petten moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

A message from the Assembly was received and read, in the words following:

The committee of conference to which were referred the Senate bills entitled "An act to make provision for the government of the city of New York," and "An act to make provision for the government of the county of New York," report that they cannot agree, and ask to be discharged from the further consideration thereof, and that the same be returned to the Senate.

THOS. J. CREAMER,
H. W. GENET,
A. BLEECKER BANKS,
Senate Committee.

A. B. TUTTLE,
WM. W. CAMPBELL,
W. HITCHMAN,
JAS. IRVING,
Assembly Committee.

IN ASSEMBLY, May 8, 1889.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

Mr. Creamer moved that the Senate concur in the amendments of the Assembly.

Mr. Crowley raised the point of order that under the 6th joint rule the motion was not in order.

The President decided the point of order well taken.

The President then put the question whether the Senate would agree to the report of the conference committee, and discharging the committee, when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Mattoon	Norton
Beach	Creamer	Graham	Morris	Pierce
Bradley	Edwards	Hubbard	Murphy	Tweed

15

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Palmer	Thayer
Chapman	Hale	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams

15

There being a tie vote, the President voted in the affirmative, and declared the motion carried.

Mr. Tweed moved to reconsider the vote by which the Senate refused to concur, and appoint a committee of conference.

Mr. O'Donnell moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Hale	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	15

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Mattoon	Norton	
Beach	Creamer	Graham	Morris	Pierce	
Bradley	Edwards	Hubbard	Murphy	Tweed	15

There being a tie vote, the President voted in the negative, and declared the motion lost.

Mr. O'Donnell moved to postpone the further consideration of this subject until Monday morning at 9 o'clock.

The President put the question whether the Senate would agree to said motion to postpone, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Hale	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	15

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Mattoon	Norton	
Beach	Creamer	Graham	Morris	Pierce	
Bradley	Edwards	Hubbard	Murphy	Tweed	15

There being a tie vote, the President voted in the negative, and declared the motion lost.

The President then put the question whether the Senate would agree to the motion of Mr. Tweed to reconsider the vote by which the conference committee was appointed, and it was decided in the affirmative.

Mr. Williams moved to adjourn to Monday morning at 9 o'clock.

The President put the question whether the Senate would agree to said motion, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Hale	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	15

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Mattoon	Norton	
Beach	Creamer	Graham	Morris	Pierce	
Bradley	Edwards	Hubbard	Murphy	Tweed	15

There being a tie vote, the President voted in the negative, and declared the motion lost.

The Assembly returned the bill entitled "An act making appropriations to pay the expenses of the collection of tolls, superintendence, ordinary

repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1869," with a message that they had non-concurred in the amendments made thereto by the Senate, and appointed a committee of conference, consisting of Messrs. Bradstreet, Chase, Barse, Woltman and Berry, and request a like committee on the part of the Senate.

Mr. Hubbard moved that a committee of conference be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Hubbard, Hale and Morris.

Mr. Tweed moved to adjourn until Monday morning at 9 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

MONDAY, MAY 10, 1869.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Selkirk.

The journal of Saturday was read and approved.

The Assembly returned the concurrent resolutions relative to publishing the Transactions of the State Agricultural Society, and of the American Institute, with a message that they had concurred in the passage of the same without amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867," with a message that they had consented to a committee of conference, and appointed as such committee, Messrs. Jacobs, Burns, Butterfield, Truman and Wright.

By unanimous consent, Mr. Bradley moved to reconsider the vote upon the bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Kennedy	Nicks
Bradley	Edwards	Hale	Morgan	Parker
Chapman	Folger	Hubbard	Morris	Stanford
Creamer	Genet	Humphrey	Nichols	Thayer

20

By unanimous consent, Mr. Morgan moved to refer said bill to the committee on the judiciary, with power to report complete at any time.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative.

By unanimous consent, Mr. Morris moved to reconsider the vote upon

the Assembly bill entitled "An act to regulate the compensation of the deputy clerks of the Senate and Assembly."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Beach	Crowley	Hale	Morris	Stanford
Bradley	Edwards	Hubbard	Nichols	Thayer
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Genet	Mattoon	Parker	Van Petten
Chapman				

26

Mr. Kennedy moved to recommit said bill to the committee on finance, with power to report complete at any time.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Folger moved to take from the table the several veto messages of His Excellency the Governor.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President put the question "Shall the bill entitled 'An act to provide for filling vacancies in the office of justice of the peace in Lowville, Lewis county,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mattoon				

1

FOR THE NEGATIVE.

Banks	Chapman	Hale	Morris	Palmer
Beach	Creamer	Hubbard	Murphy	Thayer
Bradley	Crowley	Humphrey	Nicks	Tweed
Campbell	Edwards	Kennedy	Norton	Van Petten
Cauldwell	Genet	Morgan		

23

The President put the question "Shall the bill entitled 'An act to authorize the appointment of a President pro tempore of the board of Metropolitan police,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Folger	Mattoon	Palmer	Stanford	Van Petten
Kennedy	O'Donnell	Parker		

8

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Humphrey	Murphy
Beach	Chapman	Graham	Morgan	Norton
Bradley	Creamer	Hubbard	Morris	Tweed
Campbell	Edwards			

17

The President put the question "Shall the bill entitled 'An act to authorize the construction of a railroad in One hundred and Twenty-fifth street, and in certain other streets and avenues in the city of New York,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Mattoon	3
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FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Palmer	
Beach	Crowley	Hubbard	Murphy	Pierce	
Bradley	Edwards	Humphrey	Nicks	Stanford	
Campbell	Folger	Kennedy	O'Donnell	Tweed	
Chapman	Graham	Morgan			23

The President put the question "Shall the bill entitled 'An act to authorize the Avenue C Railroad Company of the city of New York to extend their track through certain streets and avenues in said city,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Mattoon	3
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FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nicks	Pierce	
Beach	Crowley	Humphrey	Norton	Stanford	
Bradley	Edwards	Morgan	O'Donnell	Tweed	
Campbell	Folger	Morris	Palmer	Van Petten	
Chapman	Hale	Murphy	Parker		24

The President put the question "Shall the bill entitled 'An act to amend an act entitled 'An act to supply vacancies in the office of justices of the peace in the several towns of this State,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Mattoon	O'Donnell	Stanford	
Crowley	Humphrey	Morgan	Palmer	Thayer	
Folger	Kennedy	Nicks	Parker	Van Petten	15

FOR THE NEGATIVE.

Banks	Campbell	Edwards	Hubbard	Norton	
Beach	Cauldwell	Genet	Morris	Pierce	
Bradley	Creamer	Graham	Murphy	Tweed	15

The President put the question "Shall the bill entitled 'An act to incorporate the Oswego Pier and Dock Company,' become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mattoon	Van Petten	2
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FOR THE NEGATIVE

Banks	Chapman	Genet	Morgan	Palmer	
Beach	Creamer	Hale	Morris	Parker	
Bradley	Crowley	Hubbard	Murphy	Pierce	
Campbell	Edwards	Humphrey	Nicks	Tweed	
Cauldwell	Folger	Kennedy	Norton		24

The President having announced the order of business to be messages from the Assembly,

Mr. Tweed moved that the Senate concur in the amendments of the Assembly to the bill entitled "An act to make provision for the government of the city of New York."

Mr. Folger raised the point of order, that the committee of conference on the part of the Senate, and the committee of conference on the part of the Assembly, having reported to the respective houses that the committees of conference could not agree upon the bill, or on any amendment thereto, and having so reported to the two houses respectively, and the two houses having respectively agreed with the report, and discharged the respective committees; and that still being the state of facts the bill is defeated for this session, and no further action is parliamentary.

The President stated that the committee having reported that they failed to agree, and the papers having been returned to the Senate, and the committee having been discharged, the matter was in the same stage of proceedings as before the committee was appointed, and therefore a motion to concur is in order.

2d. If the joint rule applies to such cases, the reason for the rule under the circumstances fails, and therefore decide the point of order not well taken.

Mr. Folger appealed from the decision of the Chair.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" when the vote was as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Bradley	Genet	Mattoon	Nichols	Tweed
Cauldwell				

16

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

16

The President voted in the affirmative, and declared the question carried.

Mr. Creamer moved that a new committee of conference be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Edwards	Mattoon	Nichols	Tweed
Bradley	Genet	Morris	Norton	Van Petten
Cauldwell	Graham			

17

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Stanford
Chapman	Hale	Morgan	Palmer	Thayer
Crowley	Humphrey	Nicks	Parker	Williams

15

Mr. Van Petten moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten

Crowley Folger	Kennedy	O'Donnell	Stanford	Williams	16
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FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

The President voted in the negative, and declared the motion lost.

The President appointed as such committee, Messrs. Creamer, Genet and Folger.

Mr. Folger declined to serve, and the President appointed Mr. Stanford.

Mr. Stanford declined to serve, and the President appointed Mr. Van Petten.

Mr. Van Petten declined to serve, and the President appointed Mr. Williams.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a new committee of conference, and request a like committee on their part.

Mr. O'Donnell offered the following:

Resolved, That the committee of conference, on the part of the Senate, be instructed to insist on the Senate bill; or to the Assembly bill as reported from the committee of the Assembly.

The President put the question whether the Senate would agree to said resolution, when the vote was as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

The President voted in the negative, and declared the resolution lost.

Mr. Kennedy offered the following concurrent resolution:

Resolved, (if the Assembly concur,) That a respectful message be sent to His Excellency the Governor requesting him to return to the Senate the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh-water fish,' passed May 9, 1868."

Ordered, That said resolution be laid on the table.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Palmer
Bradley	Crowley	Humphrey	Murphy	Parker
Campbell	Edwards	Kennedy	Nichols	Stanford
Cauldwell	Folger	Mattoon	Norton	Tweed
Chapman				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Folger offered the following :

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Saratoga and Fulton," and that the same be referred back to the judiciary committee, with power to report complete.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following :

The committee of conference appointed by the two houses on the difference between the two houses on the bill entitled "An act to authorize a tax of one and a half mills per dollar of valuation for construction of new work upon and extraordinary repair of the canals of this State," make the following report :

The Assembly recede from its amendment striking out "For constructing a bridge across the Black river, as authorized by act chapter 903, Laws of 1867, the sum of eighteen thousand and four hundred dollars, or so much thereof as may be necessary." Also, from striking out the following: "To provide means for constructing ditches for carrying off the back water between the Tonawanda creek and Eleven-mile creek, occasioned by the State dam across those streams for canal purposes at Tonawanda, Erie county, pursuant to chapter 880, Laws of 1868, the sum of ten thousand dollars, or so much thereof as may be necessary."

The Assembly recedes from that part of its amendment which reads as follows: "And for all moneys appropriated by virtue of this act, or appropriated to be paid from the Canal Funds by previous acts, the Auditor of the Canal Department shall draw his warrant upon the Treasurer as now provided by law, and the Treasurer shall pay by check on such banks as shall be designated in such manner."

Also, to restore and amend 5th section, so that it shall read as follows: "§ 5. No more money shall be expended on the works hereinbefore enumerated than is above appropriated, but it shall be lawful for the Canal Commissioners having in charge the execution of said work to make all contracts necessary for the completion of the same, subject however to all restrictions, provisions and conditions contained in this act."

The Assembly also recedes from its amendment striking out section 4, and the committee re-insert section 4 as in engrossed bill.

The Assembly insists upon all the other amendments made by it, and the committee recommend a concurrence therein by the Senate.

A. P. NICHOLS,
GEO. N. KENNEDY,
O. W. CHAPMAN,
Senate Committee.

J. T. MILLER,
ELI AVERY,
JAS. D. LASHER,
W. C. BRADSTREET,
Assembly Committee.

Dated May 8, 1869.

IN ASSEMBLY, May 10, 1869.

Report of committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk*.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE NEGATIVE.

Banks	Chapman	Graham	Morgan	Pierce
Beach	Edwards	Hubbard	Morris	Tweed
Bradley	Folger	Humphrey	Nichols	Van Petten
Campbell	Genet	Mattoon	Palmer	Williams
Cauldwell				

21

Mr. Nichols moved that said bill be recommitted to the committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the report of the conference committee, and recommitted said bill to the same committee.

The Assembly sent for concurrence the bills entitled as follows :

"An act to change the name of the American Umbrella Frame Company, and to change the organization thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Buffalo German Schutzen Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to amend chapter 938 of the Laws of 1867, entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,'" with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Parker
Beach	Crowley	Hale	Nichols	Stanford
Bradley	Edwards	Hubbard	Nicks	Tweed
Cauldwell	Folger	Kennedy	Palmer	Van Petten

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. O'Donnell, from a majority of the committee on finance, to which was recommitted the Assembly bill entitled "An act to equalize the compensation of deputy clerks of the Senate and Assembly," with power to report complete, reported the same complete with amendments, which report was agreed to and said bill ordered to a third reading.

By unanimous consent the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Stanford
Beach	Creamer	Mattoon	Norton	Thayer
Bradley	Edwards	Morgan	Palmer	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of the American Umbrella Frame Company, and to legalize the organization thereof," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce
Beach	Crowley	Hubbard	Nicks	Thayer
Campbell	Edwards	Humphrey	Palmer	Tweed
Cauldwell	Folger	Kennedy	Parker	Van Petten
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to make provision for the government of the city of New York;" also, the "Act to make provision for the government of the county of New York," with a message that they had consented to a new committee of conference, and appointed as such committee, Messrs. La Bau, W. W. Campbell, Gleason, Hitchman and Irving.

The Assembly sent for concurrence a resolution, as follows:

Resolved, (if the Senate concur,) That this Legislature adjourn *sine die*, this day, Monday, May 10, 1869, at 12 o'clock noon.

Ordered, That said resolution be laid on the table.

On motion of Mr. Humphrey and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to incorporate the Fulton Savings Bank of New York," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Tweed, the Senate took a recess until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate again met.

By unanimous consent, Mr. O'Donnell had leave to introduce a bill entitled "An act to protect the fishing interest in Lake Ontario, its bays and estuaries in the river St. Lawrence," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Morgan	Palmer
Campbell	Felger	Humphrey	Nichols	Stanford
Chapman	Graham	Kennedy	Nicks	Thayer
Crowley	Hale	Mattoon	O'Donnell	Tweed
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan called for the consideration of the concurrent resolution heretofore offered by him, to wit:

Resolved, (if the Assembly concur,) That this Legislature adjourn *sine die*, on Friday the 30th inst. at 12 o'clock noon.

Mr. Morgan moved to amend by striking out "Friday 30th instant at 12 o'clock noon," and inserting "Monday, May 10th, 4:30 P. M."

Mr. Chapman moved to lay upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	O'Donnell
Beach	Crowley	Hubbard	Murphy	Pierce
Bradley	Edwards	Mattoon	Nichols	Tweed
Campbell	Graham			
				17

FOR THE NEGATIVE.

Folger	Morgan	Parker	Stanford	Thayer
Humphrey				
				6

A message from the Assembly was received and read, in the words following:

The committee of conference to whom was recommitted the bill entitled "An act to authorize a tax of one and a half mills per dollar of valuation for constructing new work upon and extraordinary repair of the canals of this State," with a message that they had reconsidered the vote agreeing to the report of the committee of conference, and recommitted the bill to said committee, who subsequently reported that they had amended the same by restoring section 4, and, as amended, agreed to the same.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative.

tive, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Nicks	
Beach	Crowley	Hubbard	Morris	Pierce	
Bradley	Edwards	Kennedy	Murphy	Thayer	
Campbell	Graham	Mattoon	Nichols	Tweed	20

FOR THE NEGATIVE.

Folger	Humphrey	O'Donnell	Parker	Stanford	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

A message from the Assembly was received and read, in the words following:

The committee of conference appointed by the Senate and Assembly on the question in dispute relative to the bill to incorporate the "Long Island Safe Deposit Company," report that they have agreed as follows:

Strike out the 1st section, and insert in lieu thereof the following:

"SEC. 1. Seven directors, of whom the President, or in his absence the Vice-President shall be one, shall constitute a quorum of the board of directors of 'The Long Island Safe Deposit Company,' in the transaction of its business."

HENRY C. MURPHY,
Ch'n Senate Committee.

JOHN C. JACOBS,
Ch'n Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce	
Beach	Graham	Mattoon	Norton	Stanford	
Bradley	Hale	Morris	Palmer	Thayer	
Chapman	Hubbard	Murphy	Parker	Tweed	
Edwards					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

A message from the Assembly was received and read, in the words following:

The committee of conference on matters of difference between the Senate and Assembly on the bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," report that they have agreed to recommend that the amendment made thereto by the Senate be concurred in by the Assembly.

J. O'DONNELL,
A. BLEECKER BANKS,
Senate Committee.

P. H. BENDER,
A. B. TUTTLE,
W. C. BRADSTREET,
M. HORTON,
MOSES SUMMERS,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Palmer
Beach	Edwards	Morgan	Nicks	Parker
Bradley	Graham	Morris	Norton	Pierce
Campbell	Hubbard	Murphy	O'Donnell	Tweed
Cauldwell				

21

FOR THE NEGATIVE.

Folger	Hale	Humphrey	Thayer	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

A message from the Assembly was received and read, in the words following :

The committee of conference on the matter in difference between the Senate and Assembly on the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1869," respectfully report that they have agreed to the matter in difference so far as it relates to striking out the clause abolishing the office of superintendents of repairs, and unanimously recommend that this clause be stricken out of the Assembly bill.

The committee disagree as to retaining the clause in the Assembly bill contained in lines 1 to 7 inclusive, of the second section of the said bill as engrossed ; the majority of the Assembly committee insisting on said clause, and the Senate committee and a minority of the Assembly committee recommending that the same be stricken out—consequently, as to this clause the committee disagree.

J. F. HUBBARD, JR.,
M. HALE,
L. MORRIS,
Senate Committee.

JAS. D. LASHER,
D. V. BERRY,
ELI AVERY,
Majority of the Ass. Committee.
J. T. MILLER,
N. C. BRADSTREET,
Minority of the House Committee.

IN ASSEMBLY, May 10, 1869.

Report of the committee of conference agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

Mr. Morgan moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Morgan				1
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FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Murphy	Parker
Beach	Edwards	Humphrey	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morris	Palmer	Tweed

25

The President then put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Murphy	Pierce
Beach	Edwards	Kennedy	Nichols	Stanford
Bradley	Graham	Mattoon	Norton	Tweed
Cauldwell	Hale	Morris		

18

FOR THE NEGATIVE.

'Campbell	Morgan	O'Donnell	Parker	Thayer
Humphrey	Nicks			

7

Mr. Folger moved that the Senate adhere to the amendment striking out the clause relative to Auditor.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nichols	Norton
Cauldwell	Graham	Morris		

8

FOR THE NEGATIVE.

Beach	Crowley	Mattoon	Nicks	Parker
Campbell	Folger	Morgan	O'Donnell	Stanford
Chapman	Humphrey	Murphy	Palmer	Thayer

15

Mr. Folger moved that a new committee of conference be appointed, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed Messrs. Folger, Hubbard and Morris as such committee on the part of the Senate.

Ordered, That the Clerk return said bill to the Assembly, with an appropriate message.

On motion of Mr. Tweed, the Senate took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The Senate again met.

Mr. Chapman moved that the Senate take a recess for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

FIVE O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled "An act making an appropriation to pay the expense of the collection of tolls, superintendence and ordinary repairs and maintenance of the canals for the fiscal year, commencing October 1st, 1869," with a message that they had consented to

a new committee of conference, and appointed as such committee, Messrs. Berry, Avery, Lasher, Bradstreet and Woltman.

On motion of Mr. Hale and by unanimous consent the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act requiring compensation for causing death by wrongful act, neglect or default, passed December 13, 1847,' passed April 7, 1849," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Bradley offered the following :

Whereas, The track of the Pacific railroad is completed this day, making continuous railway communication between the Pacific Ocean and the city of New York ; therefore,

Resolved, That the people of the State of New York have great reason to rejoice at an event which secures to our own great city the position of metropolis to the commercial world, and thereby strengthens the prosperity and dignity of the State.

Resolved, That we congratulate not only our own people, but the whole people of the United States upon the easy and rapid intercourse thus assured between the Americans of the Atlantic and the Americans of the Pacific, and that we congratulate the nations of Europe and America upon the opening of the commerce of the World of the most direct avenue to the wealth of the East.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

On motion of Mr. Palmer, the Senate took a recess until 6 o'clock P. M.

SIX O'CLOCK P. M.

The Senate again met.

The Assembly sent for concurrence the bill entitled as follows :

"An act for the relief of David H. Potter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The committee of conference upon the bill entitled "An act to amend an act entitled 'An act in relation to railroads held under lease,' passed April 3, 1867," report that they have met, and having considered the matters in difference between the two Houses, recommend that the Senate recede from its amendment to said bill.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	Norton
Beach	Chapman	Hubbard	Nichols	Parker
Bradley	Edwards	Kennedy	Nicks	Tweed
Campbell	Folger	Mattoon		

18

FOR THE NEGATIVE.

Morgan	Palmer	Thayer	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Palmer moved that the Senate take a recess until 8 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Palmer
Beach	Edwards	Mattoon	Nichols	Thayer
Bradley	Graham	Morris	Norton	Tweed
Cauldwell				

16

FOR THE NEGATIVE.

Campbell	O'Donnell	Parker		
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3

Whereupon the Senate took a recess.

EIGHT O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled "An act to protect the fishing interests in Lake Ontario, its bays and estuaries, and the river St. Lawrence," with a message that they had passed the same with the following amendments :

Section 1, line 4, printed bill, strike out "ninth" and insert "eighth."
Line 5, strike out "eight" and insert "nine."

Insert as section 2 the following :

"§ 2. Section 28 of said act is hereby amended by adding at the end thereof the following :

"But the provisions of this section shall not apply to or effect the taking of fish in said lake until the 1st day of May, 1870."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Nicks	Parker
Bradley	Hale	Mattoon	Norton	Pierce
Campbell	Hubbard	Morgan	O'Donnell	Thayer
Chapman	Humphrey	Morris	Palmer	Tweed
Edwards				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of David H. Potter," reported in favor of the passage of the same.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Parker
Beach	Edwards	Kennedy	Nicks	Pierce

Bradley	Graham	Mattoon	Norton	Thayer
Campbell	Hale	Morgan	Palmer	Tweed
Cauldwell				

21

FOR THE NEGATIVE.

Crowley	Folger	Nichols	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger moved to take from the table the report of the committee adverse to the Assembly bill entitled "An act granting certain lands between high and low water mark on Crane Neck, Long Island Sound."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Folger moved to disagree with the report of the committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Morgan moved to reconsider.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Brevoort Savings Bank of the city of New York," reported in favor of the passage of the same.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nicks	Parker
Cauldwell	Graham	Kennedy	Norton	Pierce
Chapman	Hale	Mattoon	O'Donnell	Thayer
Crowley	Hubbard	Murphy	Palmer	Van Petten
Edwards				

21

FOR THE NEGATIVE.

Campbell	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act passed May 9th, 1867, entitled 'An act making the turnpike and bridges of the Ravenswood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,' passed May 2d, 1868,'" reported in favor of the passage of the same.

By unanimous consent said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Pierce

Cauldwell	Graham	Mattoon	Nicks	Thayer	
Chapman	Hale	Morgan	O'Donnell	Tweed	
Crowley	Hubbard	Morris	Palmer		24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Van Petten offered the following:

Resolved, That the committee on the judiciary, to whom was referred the subject of investigating certain matters relative to contract for purchasing arms for the State, be excused from reporting upon same at this session, and have leave to continue their investigation during the recess, without expense to the State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The committee of conference, secondly appointed, in reference to the disagreement between the two Houses upon the amendment made by the Senate to the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1869," in striking out the first seven lines of the second section thereof, and the word "said" in the eighth line thereof, do report, that they have met and considered the matters in difference between the two Houses upon the said amendments, and that they are unable to agree thereon; that the Senate committee, a majority thereof, refuses to recede from the amendment made by the Senate; and the Assembly committee, a majority of it, refuses to concur in the amendment.

C. J. FOLGER,
J. F. HUBBARD,
L. MORRIS,
Senate Committee.

D. V. BERRY,
HENRY WOLTMAN,
ELI AVERY,
J. D. LASHER,
Assembly Committee.

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Graham	Murphy	O'Donnell	Stanford	
Cauldwell	Hale	Nichols	Palmer	Thayer	
Crowley	Hubbard	Nicks	Parker	Tweed	
Folger	Kennedy	Norton	Pierce	Van Petten	
Genet	Mattoon				22

The committee of conference appointed on the part of the Senate and Assembly upon the matters in difference between the two Houses upon the Senate bill entitled "An act making provision for the government of the city of New York," have considered the same, and agreed upon the following:

The Assembly is recommended to recede on the items advertising for the common council, and that the sum be retained at \$40,000, as printed in Senate bill.

That the Assembly also recede from the provision requiring the mayor and comptroller to designate the papers to publish the proceedings of the common council.

That the Senate concur in its item for Croton aqueduct repairs and

improvements of \$80,000. Also, in the item of \$10,000 for the charges of arrears of taxes.

That the Assembly recede from the appropriation for cleaning the streets, and adopt the amendment in Senate bill, \$502,500, and strike out all extraneous matter in street paragraph after the word "dollars," in page 2 of engrossed bill.

That the Senate concur in the item of \$30,000 for cleaning markets.

That the item for city contingencies be reduced to \$50,000.

That the general appropriation for city dispensaries be retained as in engrossed bill of the Assembly.

That the amount appropriated for contingencies, legislative department, be \$12,500; contingencies, mayor's office, \$2,500; contingencies, comptroller's office, \$15,000; contingencies, law department, \$25,000; and Assembly recede from balance of the paragraph.

Contingencies in street department, \$20,000.

Contingencies in Croton Aqueduct department, \$5,000.

Contingencies in department of unsafe buildings, \$15,200.

That the donations for charitable purposes be retained in the Assembly bill from the "Sisterhood of St. Mary's Episcopal Church," on page 3 of engrossed bill, down to and including the "Donation to the Blind," on page 4 of engrossed bill.

That the Assembly recede from the donation to schools and the charitable institutions, with the exception of the following, which the Senate are recommended to concur:

For the Sisters of St. Joseph's Church, Fourth street, \$5,000.

For the St. Stephen's Orphan Home, \$5,000.

For the Society for the Relief of Destitute Children of Seamen, \$3,000.

For the Wayside Industrial Home, \$3,000.

For the New York Female Association Society, \$5,000.

For the Magdalen Benevolent Society, Mrs. C. A. Fanning treasurer, \$5,000.

For the Orphan Asylum, corner Mott and Prince street, \$5,000.

For the House of the Good Shepherd, for the maintenance and support of fallen women, \$15,000.

For the New York Infirmary, for women and children, \$10,000.

For the Metropolitan Homœopathic Dispensary, \$1,000.

For the Northeastern Dispensary, \$5,000.

For the Eclectic Medical Dispensary, \$3,000.

For New York Dispensary, James F. De Peyster trustee, \$15,000.

For Harlem Dispensary, \$1,000.

For Western Homœopathic Dispensary, \$1,000.

For the Orthopædic Dispensary, \$1,000.

That the Assembly recede in the item of completing concreting of Tompkins square, by reducing the amount appropriated for that purpose to \$40,000.

That the Senate concur in the increase of the election expenses to \$38,000. That the Senate concur in increasing the item errors and delinquencies to \$3,800; and also to the remainder of the paragraph.

That the Senate concur in the appropriation of \$2,000 for flagging sidewalks and fencing vacant lots. Also \$10,000 for concreting sidewalks exterior of Union and Madison squares.

That the Assembly recede in the item of judgments and interest, and the amount be fixed at \$200,000.

That the Senate concur in the Assembly amendment appropriating \$1,053,205 for lamps and gas.

That the Assembly recede from the amendments to the appropriation for lands and places, and the amount be fixed at \$45,000.

That the Assembly recede from the item for belting improvement, and the item be stricken out.

That the Senate concur in appropriating \$15,000 for improvement of Mount Morris square.

That the paragraph in Assembly bill relative to opening streets, on pages 6 and 7 of Assembly engrossed bill, be concurred in. That the Assembly recede from its amendment relative to printing for the common council, and the sum be fixed at \$75,000.

Printing for departments, \$40,000. Public buildings, construction and repairs, \$60,000. That the Senate concur in the item relative to the Broadway pavement. Also in the item of roads and avenues, including the sum of \$65,000 for repairing Fifth avenue.

That the Assembly recede from the item relative to the appropriations for offal depot, by reducing the amount from \$100,000 to \$50,000, and that the Senate concur in the same. That the Senate concur in the item relative to pier first of Twenty-sixth street, East river.

That the Assembly agree to modify the section relative to the claims of engine and fire companies by limiting the amount to \$50,000, and that the Senate concur in the same.

That the Assembly recede from its amendments in reference to salaries of legislative department, and the amount be fixed at \$150,000. That the Senate concur in the item \$1,500 for salary to the clerk of the city librarian. Also in salaries of common council. And that the Assembly recede from its appropriation for the increase of salaries for its other clerks. Also in the matter of salary for commissioners legislated out of office in 1868.

That the Senate concur in the item relative to the board of audit appropriating \$11,000.

The Assembly recedes from its amendment appropriating \$2,000 for salary of assistant messenger to board of aldermen.

The Senate concur in the amendment of the Assembly relative to the salary of the board of excise.

That the Senate concur in the amendment relative to the claim of W. H. Christie, by the reduction of the amount to \$5,000.

That the Assembly recede from amendment relative to the payment of counsel to the widow of J. G. Abbe, and the same be fixed at \$1,500. That the Senate concur in the appropriation of the Assembly for salary of mayor's office. Also in the item relative to salaries of department of finance; and fixing salary of register of licenses at \$5,000. Also relative to the salaries of street department.

The Assembly recedes from its amendment relative to salaries of law department, and the same be fixed at \$42,800, and the balance of paragraph retained as in Assembly bill.

That the Assembly recede from its amendment relative to stationery and blank books, and the same be fixed at \$40,000, the amount in Senate bill.

The Assembly recedes from its amendment relative to street improvements, and the same be fixed at \$10,000.

The Assembly recedes from the item of sprinkling roads and avenues, and fix the amount at \$15,000.

That the Assembly recedes from the item of supplies for cleaning public offices, and the amount be reduced from \$95,000 to \$75,000.

That the Assembly recede from the appropriation for the payment of temporary clerks, and the same be fixed at \$27,000.

The Senate concur in the item of wells and pumps. Also in the item relative to wharves, piers and slips. And the Assembly concur in the claim of \$8,000 of Samuel C. Reed, by adding "whenever the same is audited by the comptroller." The Senate concur in the item appropriating \$10,000 establishing intelligence offices under the direction of the commissioners of charities and corrections. Also in the appropriation of \$20,000 to be expended pursuant to chapter 238 of the Laws of 1869. Also in the appropriation of \$3,000 for contingencies for the corporation attorney.

The Assembly recedes from its amendment relative to the battery improvement, by reducing the amount to \$65,000.

The Senate concurs in the amendment relative to the piers 58 and 59 East river. Also concur in the item of \$40,000 for a nautical school.

The Assembly recedes from its amendment appropriating \$6,500 for the payment of the claim of R. & J. Cunningham. The Assembly recedes from its amendment relative to the improvement in Fourth avenue and Hamilton square, by reducing the amount to \$40,000.

The Senate concur in the Assembly amendment appropriating \$600 for surveys made under direction of street department. The Assembly recede in relation to the appropriation of \$3,500 for claim of Wm. Burns, superintendent of horses in Metropolitan Fire department, and strike out the close.

The Assembly recede and strike out the claim of E. V. Houghwout and Charles L. Tiffany.

The Senate concur in the item appropriating \$50,000 for free floating baths.

The Senate concur in the Assembly amendments appropriating \$5,-585.54 for the payments on custom-house and post-office.

The Assembly recedes from its item appropriating \$47,200 for the New York Times and other newspapers.

The Assembly recedes from the amendment relative to the building of the house for the Sisters of Mercy, by reducing the amount from \$75,000 to \$50,000.

The Senate concur in section 2d of Assembly bill relative to creating tax relief bonds of the city of New York.

The Senate also concurs in section 3 of Assembly bill creating Croton water pipe bonds for the city of New York, and recede from the amendment appropriated for that purpose in Senate bill.

The Senate concurs in section 4 of Assembly bill creating the accumulation bond for the city of New York.

The Senate also concurs in section 5 of the Assembly bill creating street department bonds, and the Assembly recede by reducing the amount from \$500,000 to \$250,000.

The Senate concurs in section 6 of Assembly bill creating market stock of the city of New York, and the Senate recede from its appropriation in Senate bill of \$81,788 for the same purpose.

The Assembly recedes from section 7 of Assembly bill authorizing commissioners of sinking fund department to purchase certain piers from Messrs. Roberts and Putnam.

The Assembly recedes from section 8 of Assembly bill authorizing

the mayor, comptroller and street commissioners to make contracts for heads of departments.

The Senate concurs in section 9 of Assembly bill authorizing the commissioners of sinking fund to lease city property.

The Senate concur in section 11 of Assembly bill authorizing the board of education to appoint an officer to distribute funds to support of schools educating children gratuitously in the city of New York.

The Senate concur in section 12 of Assembly bill relative to expenditure of moneys. That the Senate also concur in section 13 of Assembly bill relative to estimates.

The Senate concur in section 15 of Assembly bill relative to actions against the mayor, aldermen and commonalty of the city of New York.

The Senate recede from section 6 and section 7 of Senate bill.

All of which is respectfully submitted.

THOS. J. CREAMER,
H. W. GENET,
S. K. WILLIAMS,
Senate Committee.

N. B. LA BAU,
WILLIAM W. CAMPBELL,
GEO. M. GLEASON,
JAS. IRVING,
WM. HITCHMAN,
Assembly Committee.

IN ASSEMBLY, *May 10, 1869.*

Report agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Tweed
Beach	Edwards	Mattoon	Norton	Van Petten
Bradley	Genet	Morris	Pierce	Williams
Cauldwell	Graham	Murphy		

18

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Parker
Chapman	Hale	Morgan	Palmer	Thayer
Crowley	Humphrey	Nicks		

13

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The undersigned, committee of conference of Senate and Assembly, appointed to consider the questions of disagreement between their respective Houses on the bill entitled "An act to make provision for the government of the county of New York," respectfully report:

On line 17, page 1, printed bill, strike out "five," and on same page, line 25, strike out "five" and insert "ten." On same page, the Senate concur in item relating to contingencies, inspection of buildings.

On page 2, line 3, strike out "seven thousand" and insert "five thousand," and on line 5, same page, strike out "fifty-one thousand five hundred" and insert "forty-five thousand." Line 6, same page, strike out "fifty" and insert "forty," and on same page, line 9, strike out "one hundred and twenty," and insert "eighty-five." Line 12, same page, strike out "ninety" and insert seventy-five." On same page, line 16,

strike out "fifteen" and insert "ten." Line 17, same page, strike out "eighty" and insert "sixty." On line 19, strike out "fifty" and insert

On line 21, strike out "forty" and insert "thirty." On line 25, strike out "fifty" and insert "thirty." On line 27, strike out "fifty" and insert "twenty." The Senate concur in House amendment on lines 31 to 40 inclusive.

On page 3, lines 1 and 2, strike out "six hundred and thirty thousand three hundred and sixty" and insert "five hundred and fifty-seven thousand seven hundred."

Senate agree to House amendment as follows:

On line 8, page 3, after word "annum" insert all in same line down to and including line 17.

Page 4, line 1, strike out "eighty" and insert "sixty." Strike out lines 6, 7, 8 and 9, and insert the following: "The term of office of the commissioners of the new Harlem bridge, resident in the county of New York, shall expire at the expiration of twenty days after the passage of this act."

The Senate concur in lines 10, 11, 12, 13 and 14 of the House bill. Senate further concur in lines 15, 16 and 17 of the House bill; and the House recede on line 18, by striking out "fifty" and inserting "thirty."

On lines 19 and 20 of House bill, the Senate concur; and also on lines 21, 22 and 23. On same page, line 21, the Assembly recede by striking out "five" and inserting "three." The Senate committee concur in item lines 24, 25, 26 and 27 of the House bill. House recedes from the items on lines 28 to 34 inclusive, on page "four." On page 5, the Senate concur in item on lines 1, 2, 3 and 4.

On page 6 of House bill, the Senate committee concur in lines 26, 27, 28 and 29, and with the House committee in striking out "eight" and inserting "six," and also concur in lines 30 to 35 inclusive, on same page.

Page 7. The Senate committee concur in the balance of the item contained in lines 1 to 15 inclusive. On same page, the Senate committee concur in the section contained within lines 17 to 36 on page 8, the balance of same section contained in lines 1 to 11 inclusive, and in all additional items; and the Senate recede from section 6 of their bill, also sections 2, 3, 4 and 5.

THOS. J. CREAMER,
H. W. GENET,
S. K. WILLIAMS,
Senate Committee.

N. B. LA BAU,
WM. HITCHMAN,
GEO. M. GLEASON,
WILLIAM W. CAMPBELL,
JAS. IRVING,
Assembly Committee.

IN ASSEMBLY, May 10, 1869.

Report agreed to.

By order.

EDWARD F. UNDERHILL, *Clerk.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Tweed
Beach	Edwards	Mattoon	Norton	Van Petten
Bradley	Genet	Morris	Pierce	Williams
Cauldwell	Graham	Murphy		

FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Parker
Chapman	Hale	Morgan	Palmer	Thayer
Crowley	Humphrey	Nicks		

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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Thayer moved that a new committee of conference be appointed upon the Assembly bill entitled "An act making an appropriation to pay the expenses of collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year, commencing on the 1st day of October, 1869," and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee. Messrs, Hale, Hubbard and Morris.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have appointed a new committee of conference, and request a like committee on their part.

The Assembly returned the following entitled bills, with a message that they had passed the same without amendment :

"An act to extend the time for the completion of the Buffalo City railway."

"An act to incorporate the National Institute of Letters, Arts and Sciences "

"An act to incorporate the American Trust Company of the city of New York."

"An act in relation to the opening, widening and extending of streets, avenues and public places in the city of New York."

"An act to widen and improve Franklin avenue, in the town of Flatbush."

"An act to incorporate the American and Foreign Commercial Company."

"An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

"An act in relation to making and repairing highways and bridges in the town of Flatbush, Kings county."

"An act to lay out and construct a public road or highway in the towns of Jamaica and Newtown, Queens county."

"An act to authorize the Otisville and Oakland Turnpike Company to abandon a part of their road, and to regulate tolls thereon."

"An act to amend an act entitled 'An act to incorporate 'The Security Savings Bank of Buffalo,' passed April 29, 1868."

"An act to provide for draining the wet lands between the Tonawanda creek and Ransom creek, in the town of Amherst, in the county of Erie."

"An act for the improvement of the navigation of the Boquet river."

"An act to provide for the widening of West street in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

"An act to donate to the American Museum of Natural History a collection from the duplicate specimens of Natural History belonging to the State."

"An act to provide for the completion of the Gowanus canal in the city of Brooklyn, and for the collection of the expenses thereof."

"An act to amend an act entitled 'An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defense,' passed April 23, 1862, and the several acts amendatory thereof."

"An act to amend an act entitled 'An act to incorporate the village of Port Henry,' passed May 1, 1869."

"An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the 1st day of October, 1869; and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution."

"An act supplementary to an act entitled 'An act to incorporate the village of McGrawville, Cortland county,' passed May 1, 1869."

"An act to authorize the superintendents of the poor of the county of Kings to prosecute all bastardy bonds, and also recognizances given by disorderly persons, and in relation to certain disorderly persons in said county."

"An act in relation to the Brooklyn Eclectic Dispensary."

"An act to authorize the Canal Commissioners to construct a bridge over Beaver river, in Lewis county."

"An act in relation to widening the Coney Island plankroad, in the county of Kings."

"An act to revise and amend an act entitled 'An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York,' passed April 17, 1868."

"An act to authorize the construction of a railroad through Twenty-third street, in the city of New York."

"An act for the improvement of certain parts of Westchester county, Harlem river and Spuyten Duyvil creek."

"An act to reappropriate moneys for paying awards made by Canal Appraisers in 1866; for paying the expense of sundry improvements upon the canals, and for rebuilding the Oneida Lake canal."

"An act to legalize the acts of John Birt as notary public."

"An act to amend the act entitled 'An act to provide for the drainage of the low lands in the southeast part of the town of Cambria, in the county of Niagara,' passed May 9, 1868."

"An act to authorize the board of supervisors of the county of Kings to borrow money for the purpose of erecting an addition to the almshouse, and for the erection of a work-house for said county."

"An act to authorize the city of Buffalo to cause the streets therein to be sprinkled with water."

"An act to widen and improve North Second street, in the city of Brooklyn, and to regulate, grade and pave the same."

"An act extending the time for the Schenectady and Utica Railway Company to begin the construction of its road."

"An act to amend an act entitled 'An act to incorporate the Ladies' Union Aid Society of the Methodist Episcopal Church in the city of New York,' passed June 19, 1851."

"An act for the protection of persons and companies gathering ice for merchandise."

"An act to authorize the payment of certain moneys into the treasury of this State."

"An act to abolish certain punishments in the State prisons and penitentiaries of this State."

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

"An act to create a special highway district in the town of Elizabeth-town, Essex county."

"An act to authorize the trustees of the Seamen's Fund and Retreat to lease a portion of the lands belonging to said Retreat."

"An act to incorporate the Howard Literary Association, of the city of Brooklyn."

"An act in relation to the village of Delhi."

"An act to amend an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866."

"An act authorizing cities and villages to acquire title to property for burial purposes, and to levy taxes for the payment of the same."

"An act to amend section 1 of chapter 182 of the Laws of 1846, in relation to the recording of wills."

"An act to punish the issuing, procuring or use of fraudulent certificates of naturalization."

"An act to amend an act entitled 'An act to authorize Life Insurance Companies to make special deposits of securities in the insurance department, and to authorize the superintendent of said department to require special reports of such companies,' passed April 24, 1867, and also to provide for the appointment of receivers of such depositing companies in certain cases."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments made thereto by the Senate.

"An act to repair the State works on the west branch of the Oswegatchie river, to improve the navigation thereof and the hydraulic power connected therewith."

"An act to alter the map or plan of the city of New York, and to carry the alterations into effect."

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the acts amendatory thereof."

"An act to incorporate the Crescent Company."

"An act in relation to the bridges over Black river at Beach's and Illingworth's landings, and the roads leading thereto."

"An act to empower Poughkeepsie Lodge No. 21 of the Independent Order of Odd Fellows of the State of New York, in the city of Poughkeepsie and county of Dutchess, to hold and convey real and personal estate, and constitute the same a corporation."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Port Byron,' passed March 28, 1855."

"An act to enable lodges and encampments of the Independent Order of Odd Fellows of Oneida county to take, hold and convey real and personal estate."

"An act to amend an act entitled 'An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal in the village of Seneca Falls,' passed May 6, 1868, and to secure the north bank of said canal."

"An act to authorize the Canal Commissioners to construct a farm bridge over the Erie canal on the farm of Arsino B. Warner, in the town of Greece, county of Monroe."

"An act to amend an act entitled 'An act to incorporate the Samaritan Home for the Aged of the city of New York,' passed March 23, 1867."

"An act to amend an act entitled 'An act to establish a capital police district and to provide for the government and payment thereof,' passed April 22, 1865."

"An act to provide for raising money by the board of trustees of the village of Port Richmond, with which to improve the roads, avenues and streets in said village, and for other improvements in said village."

"An act to extend Bedford avenue and Herkimer street, to widen Perry avenue, and to change the name thereof, and to close parts of adjoining streets and roads in the city of Brooklyn."

"An act authorizing the removal of certain prisoners confined in the State prison at Sing Sing to the penitentiary of the county of Albany."

"An act in relation to the new passenger depot of the New York and Harlem Railroad Company at Forty-second street, in the city of New York, and to alter the map or plan of said city."

"An act to amend the act to incorporate the Auburn Literary Association."

"An act to facilitate the construction of railroads in the counties of Allegany, Cattaraugus and Wyoming, and to authorize the towns therein to subscribe to the capital stock thereof."

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and for other purposes,' passed May 12, 1856, and the acts amendatory thereof, passed April 10, 1850, and April 14, 1852."

"An act to amend an act entitled 'An act changing the name of the First Methodist Episcopal Church of Port Jervis, New York, to the Drew Centennial Methodist Episcopal Church of Port Jervis, New York,' passed March 23, 1867."

"An act to incorporate the city of Cohoes."

"An act to prevent nuisances near public schools."

"An act to amend an act entitled 'An act to provide for the due apportionment of taxes and assessments, and for the sale of real estate to pay the same,' passed April 12, 1855."

"An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal, on the farm of George Devitt, in the town of Waterford, county of Saratoga."

"An act for the relief of John C. Blaisdell, Harden Bailey and others."

"An act to lay out, open and improve a public highway or avenue from Prospect Park in the city of Brooklyn, to Coney Island, in the county of Kings."

"An act for the relief of David Harvey."

"An act to amend title 16, chapter 8, part 3 of the Revised Statutes relative to proceedings for the draining of swamps, marshes and other low lands, and for draining farm lands."

"An act to amend the Code of Procedure."

"An act to amend an act entitled 'An act in relation to interest on judgments, and for other purposes,' passed May 7, 1844."

"An act authorizing the consolidation of certain railroad companies."

"An act to equalize the compensation of the deputy clerks of the Senate and Assembly, and clerks of committees appointed by resolution of the Assembly."

"An act to amend an act entitled 'An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine Hospital,' passed April 13, 1853."

"An act to amend an act entitled 'An act to authorize the election of

an additional justice of the peace for the city of Brooklyn, and to create an additional district therein,' passed May 7, 1868."

"An act to amend an act entitled 'An act in relation to the publication of legal notices,' passed April 12, 1859."

"An act to incorporate the Staten Island Bridge Company."

"An act releasing the interest of the State in certain lands of which Mathew Hutchinson died possessed to John Hutchinson, his brother."

"An act to incorporate the Metropolitan Indemnity Company."

"An act to incorporate the Williamsburgh Safe Deposit Company."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh-water fish,' passed May 9, 1868."

"An act to provide for the opening, constructing and continuing Grand street, in the city of Brooklyn, E. D., to the village of Newtown, in Queens county, and to grade highway to the village of Flushing."

"An act to provide for the appraisal and payment of damages sustained by Peter Phillips."

"An act to extend the powers of boards of supervisors, except in the counties of New York and Kings."

"An act to incorporate the New Amsterdam Savings Bank in the city of New York."

"An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

"An act to amend chapter 938 of the Laws of 1867, entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton.'"

"An act making appropriations for certain public and charitable institutions."

"An act to amend an act entitled 'An act to amend an act passed May 9, 1867, entitled 'An act making the turnpike and bridges of the Ravenswood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,' passed May 2, 1868.'"

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills:

"An act to refer to the Canal Board the claim of Edward H. Edwards."

"An act to amend an act entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards and surrogates' courts,' passed May 16, 1837."

"An act to incorporate the Tontine Mutual Savings Bank of the city of New York."

"An act for the payment of the fees of the sheriff of the county of Kings for the confinement of prisoners on civil process."

"An act to incorporate the Knights of St. Patrick of the city of New York."

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853, and to provide against the use of proxies in certain cases."

"An act to authorize the revision of the charter of the city of Buffalo, and to appoint commissioners to revise the same."

"An act to amend an act entitled 'An act to incorporate the Long Island Safe Deposit Company,' passed May 9, 1867."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Morgan, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act to protect the fishing interests of Lake Ontario, its bays and estuaries and the river St. Lawrence."

"An act to provide for the safe custody and care of insane criminals, and repealing certain provisions of law relating to expiration of sentences."

The Assembly returned the following entitled bills:

"An act for the relief of Louisa R. Pettit and Job Green, Jr."

"An act to authorize the straightening of the Central avenue in Westchester county, near Central Bridge."

"An act to amend section 7 of article 1, title 3, chapter 1, part 4 of the Revised Statutes, said article being entitled 'Of arson.'"

"An act for the relief of Ovid Plumb and others."

"An act to amend an act entitled 'An act to provide a supply of water in the city of Buffalo,' passed May 7, 1868."

"An act to divide the district designated by the act entitled 'An act to promote the public health in the town of New Utrecht, in the county of Kings,' passed April 13, 1859, and to provide for the draining of the ponds and other places in such districts."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bill entitled as follows:

"An act to provide for the publication of articles of association of railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly returned the following entitled bills:

"An act to make provision for the government of the county of New York."

"An act to make provision for the government of the city of New York."

"An act to authorize a tax of three-quarters of a mill per dollar for the year 1869 of valuation for constructing new work upon and extraordinary repairs of the canals of this State."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act making an appropriation to pay the expenses of collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1869," with a message that they had consented to a new committee of conference, and appointed as such committee, Messrs. Berry, Lasher, Avery, Bradstreet and Woltman.

Mr. Tweed called for the consideration of the concurrent resolution, as follows:

Resolved, (if the Senate concur,) That the Legislature adjourn *sine die*, Monday, May 10, at 12 o'clock noon.

Mr. Tweed moved to amend the same so as to read "12 o'clock P. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Folger moved that a committee be appointed to wait upon His Excellency the Governor and inform him that the Senate had concluded their business and were ready to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Folger and Murphy.

Mr. Bradley moved that a committee of two be appointed to wait upon the honorable the Assembly and inform that body that the Senate had concluded its business and were ready to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Bradley and Crowley.

Mr. Tweed moved that the Senate take a recess until 11:45 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate took a recess until 11:45 o'clock P. M.

11:45 O'CLOCK P. M.

The Senate again met.

The Assembly returned the concurrent resolution relative to adjournment, with a message that they had concurred in the passage of the same without amendment.

Mr. Folger, from the committee appointed to wait upon His Excellency the Governor and inform him that the Senate had concluded their business and were ready to adjourn, reported that they had discharged that duty and that His Excellency informed them that he had no further communication to make.

Mr. Bradley, from the committee appointed to wait upon the honorable the Assembly and inform that body that the Senate had concluded their business and were ready to adjourn, reported that they had discharged that duty.

Messrs. Husted and C. Ferris, a committee from the Assembly, appeared in the Senate and announced that the Assembly had concluded their business and were ready to adjourn.

The hour of 12 o'clock having arrived, the President arose and addressed the Senate as follows:

SENATORS: I ask your indulgence to thank you for the expression of respect and confidence contained in the resolution that you have adopted respecting myself. Called to preside in the Senate without legislative experience, I have endeavored to discharge my duties faithfully. If I have achieved any success it must be attributed mainly to the unvarying courtesy and kind assistance of the Senators, the Clerk and the other officers of the Senate. It affords me great pleasure to say that the most pleasant relations have existed between every member of the Senate and myself during the entire session; it gives me great pleasure to have this opportunity of saying, as I do, that in my judgment a more honorable body of gentlemen than the present State Senate never assembled in this chamber. May prosperity and happiness and the choicest blessings of Heaven be yours, wherever in the future your pathways may tend. The hour of twelve having arrived, I declare the Senate adjourned *sine die*.

Whereupon the Senate adjourned.

JAMES TERWILLIGER, *Clerk*.

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